

## PUBLIC NOTICE:

Anyone wishing to speak on an agenda item should sign on the appropriate sign-up sheet(s). If no sheet is available, ask to be recognized by the Mayor at the beginning of that agenda item. Citizen Communication items are asked to be two minutes or less. Longer matters can be set for a future Agenda by contacting either the Mayor or the City Manager.

Times noted are estimated; it is recommended that persons interested in testifying be present by 7:15 p.m. to sign in on the testimony sign-in sheet. Business agenda items can be heard in any order after 7:30 p.m.

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

A G E N D A  
TIGARD CITY COUNCIL MEETING  
JANUARY 10, 2006

6:30 PM

- STUDY SESSION

- EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

7:30 PM

1. BUSINESS MEETING

- 1.1 Call to Order - City Council & Local Contract Review Board
- 1.2 Roll Call
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports
- 1.5 Call to Council and Staff for Non-Agenda Items

2. CITIZEN COMMUNICATION (Two Minutes or Less, Please)

- Tigard High School Student Envoy Krista Foltz
- Follow-up to Previous Citizen Communication

3. CONSENT AGENDA: These items are considered to be routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:

3. CONSENT AGENDA: These items are considered to be routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:

- 3.1 Approve Council Minutes for December 13, 2005
- 3.2 Receive and File:
  - a. Council Calendar
  - b. Tentative Agenda

- 3.3 Approve Budget Amendment #7 to the FY 2005-06 Budget to Increase Appropriations in the Mayor and Council Budget for Funding of Tigard's Contribution to the League of Oregon Cities for Telecommunication Litigation Expenses – Resolution No. 06-\_\_\_\_\_
- 3.4 Initiate Vacation Proceedings for Several Small Pieces of Public Right-of-Way Along 68<sup>th</sup> Parkway and 69<sup>th</sup> Avenue North of Dartmouth Street; Public Right-of-Way Vacation (VAC2005-00004 and VAC2005-00005) – Resolution No. 06-\_\_\_\_\_
- 3.5 Local Contract Review Board
  - a. Adopt Revisions to the City of Tigard's Public Contracting Rules as Required by New State Laws – LCRB Resolution No. 06-\_\_\_\_\_
- *Consent Agenda - Items Removed for Separate Discussion: Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Council has voted on those items which do not need discussion.*
4. STATE OF THE CITY ADDRESS
  - Mayor Dirksen
5. INTRODUCE NEW CITY LOGO
  - Mayor Dirksen
6. UPDATE - FOURTH QUARTER 2005 CITY COUNCIL GOALS
  - Staff Report: City Administration
7. INTRODUCE 2006 CITY COUNCIL GOALS
  - Mayor Dirksen
8. COUNCIL LIAISON REPORTS
9. NON AGENDA ITEMS

10. **EXECUTIVE SESSION:** The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

11. **ADJOURNMENT**

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Agenda Item No. \_\_\_\_\_  
 For Agenda of \_\_\_\_\_



***Tigard City Council, City Center Development Agency  
 Meeting Minutes***

Date: December 13, 2005  
 Time: 6:30 PM  
 Place: Tigard City Hall, 13125 SW Hall Boulevard  
 Tigard, Oregon  
 Attending: Mayor Craig Dirksen Presiding  
 Councilor Sally Harding  
 Councilor Sydney Sherwood  
 Councilor Nick Wilson  
 Councilor Tom Woodruff  
 Absent: --

<b>Agenda Item</b>	<b>Discussion &amp; Comments</b>	<b>Action Items (follow up)</b>
<b>Study Session</b>  Discuss the League of Oregon Cities Request for a Contribution for Legal Fees	Right-of-Way Administrator Werner reviewed the request from the League of Oregon Cities, which was outlined in her November 11, 2005, memorandum distributed to the City Council. City Manager Prosser noted that Qwest franchise fees for the City of Tigard were approximately \$13,000 per year. Verizon has continued to pay its Tigard franchise fees (approximately \$332,000 per year); however, Verizon representatives indicated they would no longer pay these fees if Qwest prevails in the litigation.	After discussion by the City Council on this matter, there was general agreement by City Council members to make the requested contribution for \$6,656. A budget amendment will be prepared for Council consideration at a future City Council meeting (Consent Agenda item).
Study Session -- Discuss Washington County Cooperative Library Services (WCCLS) Intergovernmental Agreement (IGA)	Library Director Barnes reviewed the proposed WCCLS Agreement with the City Council. The IGA language implements moving away from the Cooperative Library Advisory Board (CLAB) structure. With this restructuring, the decision-making authority will rest with the chief executive officers of each of the contracting	The proposed WCCLS IGA will be presented to the Council for consideration on December 20, 2005.

Agenda Item	Discussion & Comments	Action Items (follow up)
Study Session -- Discuss Washington County Cooperative Library Services (WCCLS) Intergovernmental Agreement (IGA) (Continued)	cities/libraries. A new executive board will make decisions with regard to funding distribution. There was discussion on the history of WCCLS and its relationship to the County as it is outlined in the proposed agreement. The proposed agreement does not address funding inequities. There was discussion about alternatives to WCCLS membership; however, it was noted that city taxpayers would continue to pay taxes to fund WCCLS regardless of whether or not Tigard was a member.	
Executive Session	EXECUTIVE SESSION: The Tigard City Council went into Executive Session at 6:50 p.m. to consult with legal counsel concerning exempt public records and current litigation under ORS 192.660(2)(f) and (h).  Executive Session concluded at 7:12 p.m.	Staff received direction to return to the City Council to consider an action item as discussed during the Executive Session.
Study Session Continued – Administrative Items	<ul style="list-style-type: none"> <li>☒ New Traffic Signal Ribbon Cutting at Wall Street – 12/14, 10:30 a.m. Councilors Woodruff and Sherwood indicated they could attend.</li> <li>☒ Council Training with Joe Hertzberg – December 16, 12-6 p.m.; Councilor Woodruff's home.</li> <li>☒ 2006 Congressional Cities Conference, March 11-15.</li> <li>☒ Washington County Coordinating Committee (WCCC) – Councilor Harding reported on a recent WCCC development with regard to transportation project funding. She reviewed a proposed project near Intel in Hillsboro and her concerns about lack of</li> </ul>	<p>Councilor Sherwood will attend this ceremony.</p> <p>All City Council members plan to attend.</p> <p>This item will be discussed further at the December 20, 2005, City Council meeting.</p>

Agenda Item	Discussion & Comments	Action Items (follow up)
Study Session Continued – Administrative Items	<p>process for nominating projects.</p> <ul style="list-style-type: none"> <li>☒ Councilor Harding announced that the Tualatin Basin Natural Resources Coordinating Committee (TBNRCC) would review projects funded by Metro for consistency with the Tualatin Basin Program and the Healthy Streams Plan and/or the Metro's Local Natural Areas Legacy Fund Guidelines and make suggestions. The TBNRCC's role would be advisory.</li> <li>☒ Recycling Award Presentation Information – Agenda Item No. 5 – Mayor Dirksen to present award after brief introduction by staff.</li> <li>☒ Council packet material for Agenda Item 3.6 was sent in the Friday newsletter of December 9.</li> <li>☒ Review Process for the continued hearing on the re-adoption of Ordinance No. 05-17 and the proposed resolution for the ballot title. City Council received a copy of Ordinance 05-17 for re-adoption consideration. The Plan and Report were attached to the ordinance with the changes approved by Council on November 22, 2005, incorporated by the consultant.</li> </ul> <p>City Attorney Ramis reviewed that the City Council will consider a proposed ballot title during the Business Meeting. He recommended the City Council re-adopt Ordinance No. 05-17 to demonstrate that it had considered additional input, if any, from other taxing jurisdictions. In addition, the renewed</p>	<p>This item will be discussed further at the December 20, 2005, City Council meeting.</p>

Agenda Item	Discussion & Comments	Action Items (follow up)
Study Session Continued – Administrative Items	<p>adoption of the ordinance would give an opportunity to provide notice of adoption within four days as is required.</p> <p><input checked="" type="checkbox"/> Review of King City/Tigard Memorandum of Understanding (Agenda Item No. 9). City Manager Prosser noted that the proposed MOU clarifies King City's new Urban Planning Area Boundary, which adds the northeast quadrant of the Beef Bend/Roy Rogers intersection to King City's current area of interest if that area is added to the Urban Growth Boundary. Kind City adopted the MOU at its December 7, 2005, City Council meeting.</p> <p>Study Session concluded at 7:30 p.m.</p>	
Business Meeting	<p>1.1 Mayor Dirksen called the City Council, City Center Development Agency, and the Local Contract Review Board to Order at 7:36 p.m.</p> <p>1.2 Council Member/Agency Directors/ LCRB Members Present: Dirksen, Harding, Sherwood, Wilson, and Woodruff.</p> <p>1.3 Pledge of Allegiance</p> <p>1.4 Council Communications &amp; Liaison Reports</p> <p>1.5 Call to Council and Staff for Non-Agenda Items</p> <p>Councilor Harding announced that Duane Roberts, Associate Planner for the City of Tigard received an employee service award from the Fanno Creek Medical Clinic in recognition of his</p>	



Agenda Item	Discussion & Comments	Action Items (follow up)
Business Meeting	<p>efforts in obtaining more than \$900,000 in grants for City projects, including grants for greenspaces.</p> <p>☒ Councilor Harding reported on activities by the Tualatin Basin Natural Resources Coordinating Committee's (TBNRCC) activities regarding promoting tree planting. The goal was to plant over 7,000 trees within a year; that goal was reached in six months. In addition, Councilor Harding advised that TBNRCC would review projects funded by Metro for consistency with the Tualatin Basin Program and the Healthy Streams Plan and/or the Metro's Local Natural Areas Legacy Fund Guidelines and make suggestions. The TBNRCC's role would be advisory.</p> <p>Councilor Harding advised that the Washington County Coordinating Committee is gathering ideas about project funding.</p>	
2. Citizen Communication	<ul style="list-style-type: none"> <li>▪ Tigard High School Student Envoy Krista Foltz presented a report to the City Council on Tigard High School Activities. A copy of her report is on file in the City Recorder's office.</li> </ul>	
3. Consent Agenda	<p>3.1 Approve Council Minutes for November 8, 15, and 22, 2005</p> <p>3.2 Approve City Center Development Agency Minutes for September 13, 20, October 11, 18 and November 15, 2005</p>	<p>Motion by Councilor Sherwood, seconded by Councilor Harding, to approved the Consent Agenda.</p> <p>The motion was approved by a unanimous vote of Council present.</p>

Agenda Item	Discussion & Comments	Action Items (follow up)
3. Consent Agenda (continued)	3.3 Receive and File: a. Council Calendar b. Tentative Agenda c. Minutes of the Meeting Hosted by the City of Tualatin – Tualatin City Council/Tigard Council/Tigard-Tualatin School District Board Meeting – October 17, 2005	Mayor Dirksen      Yes Councilor Harding      Yes Councilor Sherwood      Yes Councilor Wilson      Yes Councilor Woodruff      Yes
	3.4 Initiate Action to Transfer Jurisdiction of a Portion of SW 95 <sup>th</sup> Avenue Within the City of Tigard to the City – Resolution No. 05-69	
	RESOLUTION 05-69 – A RESOLUTION INITIATING ACTION TO TRANSFER JURISDICTION OF A CERTAIN COUNTY ROAD (SEGMENT OF SW 95 <sup>TH</sup> AVENUE) WITHIN THE CITY OF TIGARD TO THE CITY OF TIGARD	
	3.5 Approve Lease with Washington County Consolidated Communications Agency (WCCCA) for a Portion of the Canterbury Property for Construction of an Emergency Communication Tower	
	3.6 Appoint Gretchen Buehner, Jodie Inman, and David Walsh to the Planning Commission – Resolution No. 05-70	
	RESOLUTION 05-70 – A RESOLUTION APPOINTING GRETCHEN BUEHNER, JODIE INMAN, AND DAVID WALSH AS MEMBERS OF THE PLANNING COMMISSION	

Agenda Item	Discussion & Comments	Action Items (follow up)										
4. Graduation of Tigard’s Emergency Response Team (CERT) Volunteer Program Class IV	<p>Public Works Program Assistant Lueck presented the fourth graduating class of the City’s Community Emergency Response Team (CERT) Program. CERT team members can provide life saving assistance, such as disaster medical aid, search and rescue and fire suppression during the critical first few minutes. Graduates of this fourth class were:</p> <table><tr><td>Terri Sweet</td><td>Judy Stack</td></tr><tr><td>Tom Harper</td><td>Sheila LaChance</td></tr><tr><td>Jim Lawson</td><td>Julie Wagar</td></tr><tr><td>Brian Wagar</td><td>Mary Bauman</td></tr><tr><td>Wayne Bauman</td><td></td></tr></table>	Terri Sweet	Judy Stack	Tom Harper	Sheila LaChance	Jim Lawson	Julie Wagar	Brian Wagar	Mary Bauman	Wayne Bauman		The City is promoting enrollment for its fifth CERT program class.
Terri Sweet	Judy Stack											
Tom Harper	Sheila LaChance											
Jim Lawson	Julie Wagar											
Brian Wagar	Mary Bauman											
Wayne Bauman												
5. Presentation of Washington County Cooperative’s 2005 Executive Award for Excellence to HSBC Card Services of Tigard, Oregon	<p>City Manager Prosser introduced this agenda item. City of Tigard is a member of the Washington County Cooperative Recycling program, which develops recycling and collection services and provides public education and solid waste management, including waste reduction program planning. The Cooperative works with the City to achieve state-mandated and regional solid waste recovery goals.</p> <p>HSBC, North America of Tigard, received an Executive Award for Excellence from the Cooperative. Mayor Dirksen presented the award to Mr. David Neenan, Managing Director of HSBC Card Services. Mayor Dirksen noted that the City of Tigard is honored to present this award to HSBC Card Services, as this company had gone beyond typical recycling practices and implemented several recycling and reusing programs with an average of five tons of</p>											

Agenda Item	Discussion & Comments	Action Items (follow up)										
5. Presentation of Washington County Cooperative's 2005 Executive Award for Excellence to HSBC Card Services of Tigard, Oregon Continued	<p>paper and cardboard being recycled each month and 3.5 tons of paper being reused in the past year.</p> <p>Mr. Neenan addressed the Council. As the largest employer in the City of Tigard, he noted how seriously his company considers environmental education. He referred to the carbon neutral program in his company. His company, a financial institution with offices worldwide, will not lend to companies that are not supportive of the environment.</p>											
6. Consider Adoption of the Ballot Title Corresponding to the Tigard City Center Urban Renewal Plan (Public Hearing Continued from November 22, 2005)	<p>City Attorney Ramis explained process for this agenda item. The City Council would be considering another motion to re-adopt Ordinance No. 05-17. No additional written comments had been received from taxing authorities who have interest in this urban renewal plan. Councilor Sherwood advised she attended the Washington County Board of Commissioners meeting earlier today; comments from the Commissioners were favorable; urban renewal is an investment in the future.</p> <p>Associate Planner Roberts presented the staff report. No written comments were received from other governmental entities that impose property taxes within the urban renewal area. No negative verbal comments from these entities were received.</p> <p>Council then considered the re-adoption of Ordinance No. 05-17.</p> <p>ORDINANCE NO. 05-17 – AN ORDINANCE ADOPTING THE CITY CENTER URBAN RENEWAL PLAN AND DIRECTING THAT THE PLAN BE</p>	<p>Motion by Councilor Wilson, seconded by Councilor Woodruff, to readopt Ordinance No. 05-17.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <table><tr><td>Mayor Dirksen</td><td>Yes</td></tr><tr><td>Councilor Harding</td><td>Yes</td></tr><tr><td>Councilor Sherwood</td><td>Yes</td></tr><tr><td>Councilor Wilson</td><td>Yes</td></tr><tr><td>Councilor Woodruff</td><td>Yes</td></tr></table> <p>Council confirmed that its adoption of Ordinance No. 05-71 included changes noted in the errata sheet submitted to the City Council. The errata sheet listed corrections to the Plan and Report. A copy of this errata sheet is on file in the City Recorder's office. The changes listed</p>	Mayor Dirksen	Yes	Councilor Harding	Yes	Councilor Sherwood	Yes	Councilor Wilson	Yes	Councilor Woodruff	Yes
Mayor Dirksen	Yes											
Councilor Harding	Yes											
Councilor Sherwood	Yes											
Councilor Wilson	Yes											
Councilor Woodruff	Yes											

Agenda Item	Discussion & Comments	Action Items (follow up)										
6. Consider Adoption of the Ballot Title Corresponding to the Tigard City Center Urban Renewal Plan (Public Hearing Continued from November 22, 2005) Continued	<p>REFERRED TO THE VOTERS</p> <p>Council then reviewed the proposed resolution submitting the City Center Urban Renewal Plan to the voters and adopting a ballot title and explanatory statement.</p> <p>Public Testimony:</p> <p>Gretchen Buehner advised she prefers Alternative 2. She emphasized the need for public outreach.</p> <p>Council reviewed the three options for the “Question and Summary” of the ballot measure. The Council members agreed on the following language for the ballot measure summary:</p> <p>“If the measure is approved, the City Center Urban Renewal Plan, including tax increment financing of public improvements listed in the Plan, would become effective. The City Center Urban Renewal Plan provides for improving streets and other public facilities in the City Center area, which generally includes the area adjacent to Highway 99, west of Highway 217 and Hall Boulevard, and east of Fanno Creek. Public improvements would be financed in part by tax increment financing. Tax increment financing does not impose new taxes, but reallocates the property taxes on any increases in total property value inside the Urban Renewal District boundaries to the Tigard City Center Development Agency (the Urban Renewal Agency). The Agency then repays indebtedness incurred to finance Plan public improvements. The maximum indebtedness under the plan is \$22 million for a period of no more than</p>	<p>on the errata sheet will be incorporated into the final Plan and Report. Councilor Wilson, as maker of the motion, affirmed that he intended the changes as listed on the errata sheet be included.</p> <hr/> <p>Motion by Councilor Sherwood, seconded by Councilor Woodruff, to adopt Resolution No. 05-71, Alternative 2, as amended.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <table><tr><td>Mayor Dirksen</td><td>Yes</td></tr><tr><td>Councilor Harding</td><td>Yes</td></tr><tr><td>Councilor Sherwood</td><td>Yes</td></tr><tr><td>Councilor Wilson</td><td>Yes</td></tr><tr><td>Councilor Woodruff</td><td>Yes</td></tr></table> <hr/>	Mayor Dirksen	Yes	Councilor Harding	Yes	Councilor Sherwood	Yes	Councilor Wilson	Yes	Councilor Woodruff	Yes
Mayor Dirksen	Yes											
Councilor Harding	Yes											
Councilor Sherwood	Yes											
Councilor Wilson	Yes											
Councilor Woodruff	Yes											

Agenda Item	Discussion & Comments	Action Items (follow up)
6. Consider Adoption of the Ballot Title Corresponding to the Tigard City Center Urban Renewal Plan (Public Hearing Continued from November 22, 2005) Continued	20 years. The City Council has adopted the Plan, subject to voter approval.”  Mayor Dirksen closed the public hearing.  Council then considered the proposed resolution. (See Page 9)  RESOLUTION NO. 05-71 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TIGARD SUBMITTING THE CITY CENTER URBAN RENEWAL PLAN TO THE VOTERS OF THE CITY OF TIGARD, ADOPTING A BALLOT TITLE, AND APPROVING AN EXPLANATORY STATEMENT	
7. Consider Amending the Terms of Appointment of the Members of the Building Appeals Board	Building Official Lampella presented the staff report on this agenda item. He reviewed the benefit of changing the wording in the Tigard Municipal Code so that terms of the Building Appeals Board member are staggered. Currently, terms of all seven board members will expire April 1, 2006.  Council considered Ordinance No. 05-18.  ORDINANCE NO. 05-18 – AN ORDINANCE AMENDING SECTION 2.09.020 OF THE TIGARD MUNICIPAL CODE TO STAGGER THE TERMS OF THE BUILDING APPEALS BOARD	Motion by Councilor Woodruff, seconded by Councilor Harding, to adopt Ordinance No. 05-18.  The motion was approved by a unanimous vote of Council present.  Mayor Dirksen Yes Councilor Harding Yes Councilor Sherwood Yes Councilor Wilson Yes Councilor Woodruff Yes

Agenda Item	Discussion & Comments	Action Items (follow up)
<p>8. Continue Discussion on Clean Water Services (CWS) Fee Waiver Request of City-Initiated Community Development Code Amendment</p>	<p>Associate Planner Pagenstecher presented the staff report. CWS and the City's Public Works Department are currently discussing a draft IGA that would accommodate the cooperative effort to implement stream rehabilitation and enhancement activities proposed by CWS.</p>	<p>City Council agreed with staff's recommendation to develop an IGA with CWS for a cooperative approach to the stream rehabilitation and enhancement project. In the near future, the City Council will be asked to approve an IGA.</p>
<p>9. Authorize the Mayor to Sign a Memorandum of Understanding (MOU) Between the City of Tigard and the City of King City – Urban Planning Area</p>	<p>City Manager Prosser presented this agenda item. The proposed MOU clarifies King City's new Urban Planning area, which adds the northeast quadrant of the Beef Bend/Roy Rogers intersection to its area of interest if that area is added to the Urban Growth Boundary. This area is not within Tigard's current Urban Planning area. King City approved the MOU on December 7, 2005.</p> <p>City Manager Prosser confirmed that the MOU does not change the City's current agreement with Washington County.</p>	<p>Motion by Councilor Sherwood, seconded by Councilor Woodruff, to authorize the Mayor to sign the Memorandum of Understanding.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <p>Mayor Dirksen        Yes  Councilor Harding    Yes  Councilor Sherwood   Yes  Councilor Wilson      Yes  Councilor Woodruff   Yes</p>
	<p>The Business Meeting concluded at 8:45 p.m.; City Council met in Study Session</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
10. Discuss Branding/Graphic Identity Design	Assistant to the City Manager Newton introduced this agenda item. City Council reviewed additional logo designs with designer Glen Marcusen. Additional review was scheduled for the December 20, 2005, City Council meeting.	
Adjournment	9:13 p.m.	

Attest:

\_\_\_\_\_  
Catherine Wheatley, City Recorder

\_\_\_\_\_  
Mayor, City of Tigard

Date: \_\_\_\_\_

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# MEMORANDUM



TO: Honorable Mayor and City Council

FROM: Cathy Wheatley, City Recorder *Cathy*

DATE: January 3, 2006

SUBJECT: Three-Month Council Meeting Calendar

Agenda Item No. \_\_\_\_\_  
For Agenda of January 10, 2006

Regularly scheduled Council meetings are marked with an asterisk (\*).

## January

2	Monday	New Year's Holiday – City Offices Closed
6	Friday	Special Council Meeting – Goal Setting – Noon – 5 p.m.; Second Floor Library Conference Room
10*	Tuesday	Council Business Meeting – 6:30 pm, Town Hall
16	Monday	Martin Luther King, Jr. Day Holiday – City Offices Closed
17*	Tuesday	Council Workshop Meeting – 6:30 pm, Town Hall
24*	Tuesday	Council Business Meeting – 6:30 pm, Town Hall
31	Tuesday	5 <sup>th</sup> Tuesday Council Meeting – 7-9 p.m., Tigard Water Auditorium

## February

14*	Tuesday	Council Business Meeting – 6:30 pm, Town Hall
21*	Tuesday	Council Workshop Meeting – 6:30 pm, Town Hall
20	Monday	Presidents Day Holiday – City Offices Closed
28*	Tuesday	Council Business Meeting – 6:30 pm, Town Hall

## March

11-15	Sat-Weds.	Congressional Cities Conference
14*	Tuesday	Meeting to be rescheduled
21*	Tuesday	Council Business Meeting – 6:30 pm, Town Hall
28*	Tuesday	Council Business Meeting Canceled

Tigard City Council Tentative Agenda 2006

Meeting Date: Meeting Type/Time: Location: Greeter: Materials Due @ 5:	January 17, 2006 Workshop/6:30 City Hall  January 3, 2006	Meeting Date: Meeting Type/Time: Location: Greeter: Materials Due @ 5:	January 24, 2006 Business/6:30 p.m. City Hall  January 10, 2006	Meeting Date: Meeting Type/Time: Location: Greeter: Materials Due @ 5:	January 31, 2006 5th Tues/7 PM Water Building Aud. Dennis January 17, 2006
Workshop Agenda		Study Session		Fifth Tuesday Meeting	
Joint Meeting with Budget Committee - Tom I. - 40 min. SI Discuss Annexation Policy - Tom C - 45 min. Discuss Mayor & Council Budget - Liz - 15 min. Commuter Rail Station - Tom C. - 45 min.		Councilor Woodruff will be absent.		Confirmed: Stacie Yost will facilitate.	
		Consent Agenda			
		Budget Amendment No. 8 - Parks Capital Improvement - Tual. River Bicycle and Pedestrian Bridge - RES - Tom I.			
		Business Meeting			
		Tigard Vision - 2005 Accomplishments Update - Liz & Loreen - 20 min Presentation - Tual. Riverkeepers - Liz - 20 min. Presentation - Metro Councilor Hosticka - Proposed Bond Measure - Dennis - PPT - 20 min Adopt Amended Tualatin River Bicycle & Ped Bridge IGA Adding CWS as Partner in Bridge Ownership - Dennis/Dan - 20 min. Consider Purchase Agreement for Real Property Related to 550-Foot Zone Reservoir No. 2 - Dennis/Brian R. - 10 min. Park & Greenway - Potential Land Acquisition - Inf. PH RES - Dennis/Dan P. - 10 min.			
Time Avail.: 200 min. - Time Scheduled: 145 min Time Left: 55 min.		Time Avail.: 135 min. - Time Scheduled: 100 min Time Left: 35 min.			

Chamber Rep - Citizen Comm.

Tigard City Council Tentative Agenda 2006

Meeting Date: Meeting Type/Time: Location: Greeter: Materials Due @ 5:	February 14, 2006 Business/6:30 p.m. City Hall  January 31, 2006	Meeting Date: Meeting Type/Time: Location: Greeter: Materials Due @ 5:	February 21, 2005 Workshop/6:30 p.m. City Hall  February 7, 2005	Meeting Date: Meeting Type/Time: Location: Greeter: Materials Due @ 5:	February 28, 2006 Business/6:30 p.m. City Hall  February 14, 2006
Study Session		Workshop Agenda		Study Session	
Executive Session - Labor Negotiations - Sandy - 20 min. Executive Session - Open Space & Land Acquisition - Dennis/Dan 20 min		Joint Meeting with Planning Commission - Tom C. - 30 min. - SI			
Consent Agenda				Consent Agenda	
Business Meeting				Business Meeting	
Finalize Formation of Sewer Reimbursement Dist. 31 (SW O'Mara/Edgewood) - PPT PH RES - Gus/Greg B - 10 min Finalize Formation of Sewer Reimbursement Dist. 35 (SW Ash Ave) - PPT PH RES - Gus/Greg B - 10 min Finalize Formation of Sewer Reimbursement Dist. 36 (SW 93rd Ave) - PPT PH RES - Gus/Greg B - 10 min				PHQJ - Vacation of Un-Named Right of Way Near 74th Ave. & Durham Rd. - ORD - Tom C. - 10 min. PHQJ - Vacation of Portions of Right of Way on 68th Parkway and 69th Avenue - Tom C./Dick B. ORD - 10 min.	
Time Avail.: 135 min. - Time Scheduled: 30 min Time Left: 105 min.		Time Avail.: 200 min. - Time Scheduled: 30 min Time Left: 170 min.		Time Avail.: 135 min. - Time Scheduled: 20 min Time Left: 110 min.	

THS Student Envoy - Citizen Comm.

Tigard City Council Tentative Agenda 2006



Meeting Date: Meeting Type/Time: Location: Greeter: Materials Due @ 5:	March 14, 2006 Business/6:30 p.m. City Hall  February 28, 2006	Meeting Date: Meeting Type/Time: Location: Greeter: Materials Due @ 5:	March 21, 2006 Workshop/6:30 p.m. City Hall  March 7, 2006	Meeting Date: Meeting Type/Time: Location: Greeter: Materials Due @ 5:	March 28, 2006 Business/6:30 p.m. City Hall  March 14, 2006
Study Session		Workshop Agenda		Study Session	
Congressional Cities Conference - To be announced whether meeting is re-scheduled or canceled.		Joint Meeting with Budget Committee - Tom I. - 40 min. SI			
Consent Agenda				Consent Agenda	
Business Meeting				Business Meeting	
Time Avail.: 135 min. - Time Scheduled: min Time Left: min.		Time Avail.: 200 min. - Time Scheduled: min Time Left: min.		Time Avail.: 135 min. - Time Scheduled: min Time Left: min.	

THS Student Envoy - Citizen Comm.

AGENDA ITEM # \_\_\_\_\_  
FOR AGENDA OF January 10, 2006

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE A Resolution Approving Budget Amendment #7 to the FY 2005-06 Budget to Increase Appropriations in the Mayor & Council Budget for Funding of Tigard's Contribution to the League of Oregon Cities for Telecommunication Litigation Expenses

PREPARED BY: Michelle Wareing/Nancy Werner DEPT HEAD OK  CITY MGR OK 

ISSUE BEFORE THE COUNCIL

Shall the City Council approve Budget Amendment # 7 to increase appropriations in the Mayor & Council budget to fund Tigard's contribution to the League of Oregon Cities to assist with legal expenses related to the Qwest v. Portland litigation?

STAFF RECOMMENDATION

Staff recommends approval of Budget Amendment #7.

INFORMATION SUMMARY

On December 13, 2005, the City Council gave approval for the City to contribute 2% of its telecommunication franchise fees or \$6,656 to the League of Oregon Cities (LOC) to assist with legal expenses for eight Oregon cities participating in Qwest v. Portland litigation. The contributions will help pay the intervening cities' legal fees as the remand phase of the litigation continues. The outcome of this litigation is significant because it likely will set an important precedent on the extent to which Oregon cities can collect revenue-based franchise fees or privilege taxes and manage their rights-of-way under the Act.

The litigation began in 2001 when the City of Portland sued Qwest for failure to pay fees for use of the City's rights-of-way. Qwest then claimed that revenue-based fees and provisions of Portland's ordinances violate the Federal Telecommunications Act of 1996 (the "Act"). Qwest stopped paying franchise fees to all Oregon cities at that time. Because this case involves important rights-of-way issues that could impact all Oregon cities, the LOC organized the intervention of eight other cities in the case and has asked Oregon cities to contribute to the legal expenses of these cities. (The City of Portland is paying its own fees.) Oregon cities won an important victory when the District Court ruled that the cities' ordinances and revenue-based fees do not violate the Act. Qwest resumed paying franchise fees at that time, but appealed the District Court decision. The Ninth Circuit Court of Appeals upheld the District Court's ruling regarding revenue-based fees, but remanded the case back to the District Court for a review of each provision of the cities' ordinances to determine if they are permissible under the Act.

The Mayor & Council budget does not have sufficient appropriations to cover the contribution. This budget amendment will increase appropriations in the Mayor & Council budget by \$6,656 and reduce the General Fund Contingency by the same amount.

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OTHER ALTERNATIVES CONSIDERED

Do not approve Budget Amendment #7

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VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

None

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ATTACHMENT LIST

Resolution including Attachment A

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FISCAL NOTES

This resolution will transfer \$6,656 from the General Fund Contingency to the Mayor & Council Division Budget to fund the contribution to the LOC.

CITY OF TIGARD, OREGON

RESOLUTION NO. 06-\_\_\_\_\_

A RESOLUTION APPROVING BUDGET AMENDMENT #7 TO THE FY 2005-06 BUDGET TO INCREASE APPROPRIATIONS IN THE MAYOR & COUNCIL BUDGET FOR FUNDING OF TIGARD'S CONTRIBUTION TO THE LEAGUE OF OREGON CITIES FOR TELECOMMUNICATION LITIGATION EXPENSES.

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WHEREAS, the City received a request from the League of Oregon Cities (LOC) to contribute two percent of its telecommunication franchise fees to assist with legal fees of eight Oregon cities participating in the *Qwest v. Portland* litigation; and

WHEREAS, the outcome of this litigation is significant because it likely will set an important precedent on the extent to which Oregon cities can collect revenue-based franchise fees or privilege taxes and manage their rights-of-way under the Federal Communications Act of 1996; and

WHEREAS, the City Council gave approval at the December 13, 2005 Council meeting for the City to contribute two percent or \$6,656 of its telecommunication franchise fees to the LOC; and

WHEREAS, this contribution was not budgeted for in the FY 2005-06 Mayor & Council Division budget; and

WHEREAS, it is necessary to amend the FY 2005-06 Budget to increase appropriations to fund this contribution.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The FY 2005-06 Budget of the City of Tigard is hereby amended as shown in Attachment A to this resolution to increase appropriations in the Mayor & Council Division budget, Policy & Administration Program, in the amount of \$6,656 and to decrease the General Fund Contingency by the same amount

SECTION 2: This resolution is effective immediately upon passage.

PASSED: This \_\_\_\_\_ day of \_\_\_\_\_ 2006.

\_\_\_\_\_  
Mayor - City of Tigard

ATTEST:

\_\_\_\_\_  
City Recorder - City of Tigard

Attachment A  
FY 2005-06  
Budget Amendment # 7

FY 2005-06 Revised Budget	Budget Amendment # 7	FY 2005-06 Revised Budget
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**General Fund**

Resources

Beginning Fund Balance	\$8,671,679		\$8,671,679
Property Taxes	9,582,474		9,582,474
Grants	456,896		456,896
Interagency Revenues	2,459,839		2,459,839
Development Fees & Charges	512,510		512,510
Miscellaneous Fees and Charges	252,360		252,360
Fines and Forfeitures	650,827		650,827
Franchise Fees and Business Tax	3,069,234		3,069,234
Interest Earnings	204,000		204,000
Bond/Note Proceeds	0		0
Other Revenues	25,000		25,000
Transfers In from Other Funds	2,677,233		2,677,233
Total	\$28,562,052	\$0	\$28,562,052

Requirements

Community Service Program	\$12,010,489		\$12,010,489
Public Works Program	2,672,342		2,672,342
Development Services Program	2,941,422		2,941,422
Policy & Administration Program	355,585	6,656	362,241
General Government	0		0
Program Expenditures Total	\$17,979,838	\$6,656	\$17,986,494
Debt Service	\$0		\$0
Capital Improvements	\$0		\$0
Transfers to Other Funds	\$4,507,732		\$4,507,732
Contingency	\$944,246	(\$6,656)	\$937,590
Total Requirements	\$23,431,815	\$0	\$23,431,815
Ending Fund Balance	\$5,130,237		\$5,130,237
Grand Total	\$28,562,052	\$0	\$28,562,052



CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE: Initiate vacation proceedings for several small pieces of public right-of-way along 68<sup>th</sup> Parkway and 69th Avenue north of Dartmouth Street; Public right-of-way Vacation (VAC2005-00004 and VAC2005-00005).

PREPARED BY: Dick Bewersdorff DEPT HEAD OK TC CITY MGR OK CP

ISSUE BEFORE THE COUNCIL

Should the City Council initiate vacation proceedings for five (5) small portions of public right-of-way totaling 3,392 square feet along 68<sup>th</sup> Parkway and 69th Avenue which adjoin tax lots 1S136DD-03001, 1S136DD-06100, 1S136DD-06300, 1S136DD-06600, and 1S136DD-06700. These parcels are owned by the petitioners and are legally and graphically described within exhibits "A-1, B-1/A-2, B-2/A-3, B-3/A-4, B-4/A-5, B-5".

STAFF RECOMMENDATION

It is recommended that the City Council accept the petition for vacation by resolution and schedule this matter for public hearing. At the public hearing, or after due consideration, the Council may by ordinance approve, approve with conditions, or deny the vacation request.

INFORMATION SUMMARY

The applicant, Specht Development requested the Council initiate, this Vacation on September 9, 2005 (Attachment 1, Vacation request). After initiation the next step in the process is for the City Council to hold a public hearing on February 28, 2006. As indicated in the attached exhibits, the applicant is proposing certain dedications for which the City has received legal descriptions. These will allow for streets to be constructed to City standards. Any recommendation for approval will be subject to completing those dedications.

The applicants are requesting the vacation of five (5) small portions of public right-of-way totaling 3,392 square feet along 68<sup>th</sup> Parkway and 69th Avenue north of Dartmouth Street.

OTHER ALTERNATIVES CONSIDERED

No action.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Not applicable.

ATTACHMENT LIST

Attachment 1 - Proposed Resolution setting the date for public hearing including legal descriptions and maps - (exhibits A-1, B-1/A-2, B-2/A-3, B-3/A-4, B-4/A-5, B-5).

Attachment 2 - Overall Map indicating vacations and dedications.

Attachment 3 - Vacation request including exhibits for dedications.

FISCAL NOTES

There are no direct fiscal impacts as a result of this request, as all fees have been paid by the applicant.

CITY OF TIGARD, OREGON

RESOLUTION NO. 06-\_\_\_\_

A RESOLUTION SETTING THE DATE OF A PUBLIC HEARING REGARDING THE VACATION OF FIVE (5) SMALL PORTIONS OF PUBLIC RIGHT-OF-WAY TOTALING 3,392 SQUARE FEET ALONG 68<sup>TH</sup> PARKWAY AND 69<sup>TH</sup> AVENUE WHICH ADJOIN TAX LOTS 1S136DD-03001, 1S136DD-06100, 1S136DD-06300, 1S136DD-06600, AND 1S136DD-06700. THESE PARCELS ARE OWNED BY THE PETITIONERS AND ARE LEGALLY AND GRAPHICALLY DESCRIBED WITHIN EXHIBITS "A-1, B-1/A-2, B-2/A-3, B-3/A-4, B-4/A-5, B-5".

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WHEREAS, the applicant, Specht Development, has requested the City of Tigard initiate Vacation proceedings to vacate five (5) small portions of public right-of-way totaling 3,392 square feet along 68<sup>th</sup> Parkway and 69th Avenue as described in the Resolution title above;

WHEREAS, the Tigard City Council finds it appropriate to initiate Vacation proceedings for the requested public right-of-way vacation.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The Tigard City Council hereby initiates a request for the vacation of five (5) small portions of public right-of-way totaling 3,392 square feet along 68<sup>th</sup> Parkway and 69th Avenue which adjoin tax lots 1S136DD-03001, 1S136DD-06100, 1S136DD-06300, 1S136DD-06600, and 1S136DD-06700. These parcels are owned by the petitioners and are legally and graphically described within exhibits "A-1, B-1/A-2, B-2/A-3, B-3/A-4, B-4/A-5, B-5" and by reference made a part hereof.

SECTION 2: A public hearing is hereby called to be held by the City Council on February 28, 2006 at 7:30 PM in the Town Hall at Tigard City Hall, 13125 SW Hall Boulevard, within the City of Tigard, at which time and place the Council will hear any objections thereto and any interested person may appear and be heard for or against the proposed vacation of said public right-of-way.

SECTION 3: This resolution is effective immediately upon passage.

PASSED: This \_\_\_\_\_ day of \_\_\_\_\_ 2006.

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Mayor - City of Tigard

ATTEST:

---

City Recorder - City of Tigard

**EXHIBIT A - 1**

Page 1 of 1

Prepared By:  
**NORTHWEST SURVEYING, LLC**  
PO Box 7177  
Beaverton, OR 97007  
503-848-2127

**LEGAL DESCRIPTION FOR  
S.W. 68<sup>TH</sup> PARKWAY  
RIGHT OF WAY VACATION  
TAX LOT # 3001, MAP 1S136DD**

Real Property situated in the City of Tigard, Washington County, Oregon, being a portion of that parcel as described in deed to Jack B. Root and Wilma L. Root, recorded under Document Number 2004-123997, records of said county, lying in the southeast quarter of Section 36, Township 1 South, Range 1 West of the Willamette Meridian, more particularly described as follows:

Beginning at the southerly end of a 25.00 foot radius curve between the right of way lines for S.W. 68<sup>th</sup> Parkway and S.W. Clinton Street at the southeasterly corner of said Jack B. Root and Wilma L. Root parcel, said point being on the northerly right of way line S.W. Clinton Street and being marked by a 5/8" iron rod with a yellow plastic cap stamped "Northwest Surveying, LLC";

Thence along said 25.00 foot radius curve, being tangent with said northerly right of way line, to the left, and having a delta angle of 87°45'18", a long chord bearing North 46°06'27" East 34.66 feet, and a length of 38.29 feet to a 5/8" iron rod with a yellow plastic cap stamped "Northwest Surveying, LLC";

Thence along the westerly right of way line of said S.W. 68<sup>th</sup> Parkway, North 02°13'48" East 83.65 feet to a point measuring 35.00 feet at right angles to the centerline of said S.W. 68<sup>th</sup> Parkway;

Thence southerly parallel with the centerline of said S.W. 68<sup>th</sup> Parkway, South 00°03'44" East 82.58 to a tangent curve;

Thence along said curve to the right having a radius of 25.00 feet, a delta angle of 90°02'49", a long chord bearing South 44°57'41" West 35.37 feet and a length of 39.29 feet;

Thence South 89°59'06" West 3.33 feet to the point of beginning.

The above described tract contains 220 square feet, more or less.

The basis of bearings for this description is between found monuments along the northerly right of way line of said S.W. Clinton Street, per survey number 30,016, on record with the Washington County Surveyor's Office.

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION  
VARIED WIDTH RIGHT OF WAY VACATION  
FOR TAX LOT 3001 MAP 1S136DD  
CITY OF TIGARD, WASHINGTON COUNTY, OREGON  
AUGUST 8, 2005  
PAGE 1 OF 1

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	39.29'	25.00'	90°02'49"	35.37'	S44°57'41"W
C2	38.29'	25.00'	87°45'18"	34.66'	N46°06'27"E
C3	10.59'	25.00'	24°15'56"	10.51'	N14°21'46"E
C4	27.70'	25.00'	63°29'21"	26.31'	N58°14'25"E



Age Group	Number of respondents
18-24	18
25-34	15
35-44	12
45-54	10
55-64	8
65-74	6
75-84	4
85-94	2
95-104	1

OREGON  
JANUARY 15, 2002  
CLINTON H. STUBBS JR.  
55469LS

TAX LOT 3001. \_\_\_\_\_  
DOC# 2004-123997  
RIGHT-OF-WAY VACATION  
AREA = +220 SQUARE FEET

BASIS OF BEARINGS  
PER SURVEY # 30,016

CURVE TABLE.			
S	DELTA	CHORD	CHORD BEARING
'	90°02'49"	35.37'	S44°57'41"W
'	87°45'18"	34.66'	N46°06'27"E
'	24°15'56"	10.51'	N14°21'46"E
'	63°29'21"	26.31'	N58°14'25"E

TAX LOT 3001.  
 DOC# 2004-123997  
 RIGHT-OF-WAY VACATION  
 AREA = ±220 SQUARE FEET

POINT OF BEGINNING

BASIS OF BEARINGS  
 PER SURVEY # 30,016

N89°59'06"E 166.36'

S89°59'06"W 3.33'

C4 L=27.70'

C1 L=39.29'

C2 L=38.29'

C3 L=10.59'

9/7/89 M. C. & S. L. N

N02°13'48"E 83.65'

S02°13'43"W 67.51'

EASEMENT PER DOC# 81040508

S00°03'44"E 82.58'

N00°03'44"W

S.W. 68TH PARKWAY

35.00'

SPECHT DEVELOPMENT, INC  
15400 SW MILLIKAN WAY  
BEAVERTON, OR 97006

**NORTHWEST** BEA  
PHO  
FA  
**SURVEYING, LLC** EMAIL:

**T** PO BOX 7177  
BEAVERTON, OR 97007  
PHONE: 503-848-2127  
FAX: 503-848-2179  
EMAIL: [nwsurveying@verizon.net](mailto:nwsurveying@verizon.net)

**EXHIBIT A - 2**

Page 1 of 1

Prepared By:  
**NORTHWEST SURVEYING, LLC**  
PO Box 7177  
Beaverton, OR 97007  
503-848-2127

**LEGAL DESCRIPTION FOR  
S.W. 68<sup>TH</sup> PARKWAY AND S.W. CLINTON STREET  
RIGHT OF WAY VACATION  
TAX LOT # 6100, MAP 1S136DD**

Real Property situated in the City of Tigard, Washington County, Oregon, being a portion of that parcel as described in deed to Robert S. Hogg and Harriett L. Hogg, recorded under Book 303, Page 341, records of said county, lying in the southeast quarter of Section 36, Township 1 South, Range 1 West of the Willamette Meridian, more particularly described as follows:

Beginning at the southeast corner of said Robert S. Hogg and Harriett L. Hogg parcel, said point being on the westerly right of way line S.W. 68<sup>th</sup> Parkway, from said point a 5/8" iron rod with a no cap bears South 89°48'48" West 0.05 feet;  
Thence along said westerly right of way line, North 00°03'44" West 75.32 feet to the beginning of a tangent curve;  
Thence along a curve to the left having a radius of 25.00 feet, a delta angle of 89°57'11", a long chord bearing North 45°02'19" West 35.34 feet, and a length of 39.25 feet to the southerly right of way line of S.W. Clinton Street;  
Thence parallel with the centerline of said S.W. Clinton Street, North 89°59'06" East 5.00 feet to a tangent curve;  
Thence along said curve to the right having a radius of 25.00 feet, a delta angle of 89°57'11", a long chord bearing South 45°02'19" East 35.34 feet, and a length of 39.25 feet to a point 35.00 feet measured at right angles to the centerline of said S.W. 68<sup>th</sup> Parkway;  
Thence parallel with said centerline, South 00°03'44" East 75.31 feet to the easterly extension of the south line of said Robert S. Hogg and Harriett L. Hogg parcel;  
Thence along said easterly extension South 89°48'48" West 5.00 feet to the point of beginning.

The above described tract contains 501 square feet, more or less.

The basis of bearings for this description is between found monuments along the southerly line of said Robert S. Hogg and Harriett L. Hogg parcel, per survey number 30,016, on record with the Washington County Surveyor's Office.

# EXHIBIT B-2

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION  
VARIED WIDTH RIGHT OF WAY VACATION  
FOR TAX LOT 6100 MAP 1S136DD  
CITY OF TIGARD, WASHINGTON COUNTY, OREGON  
AUGUST 15, 2005  
PAGE 1 OF 1



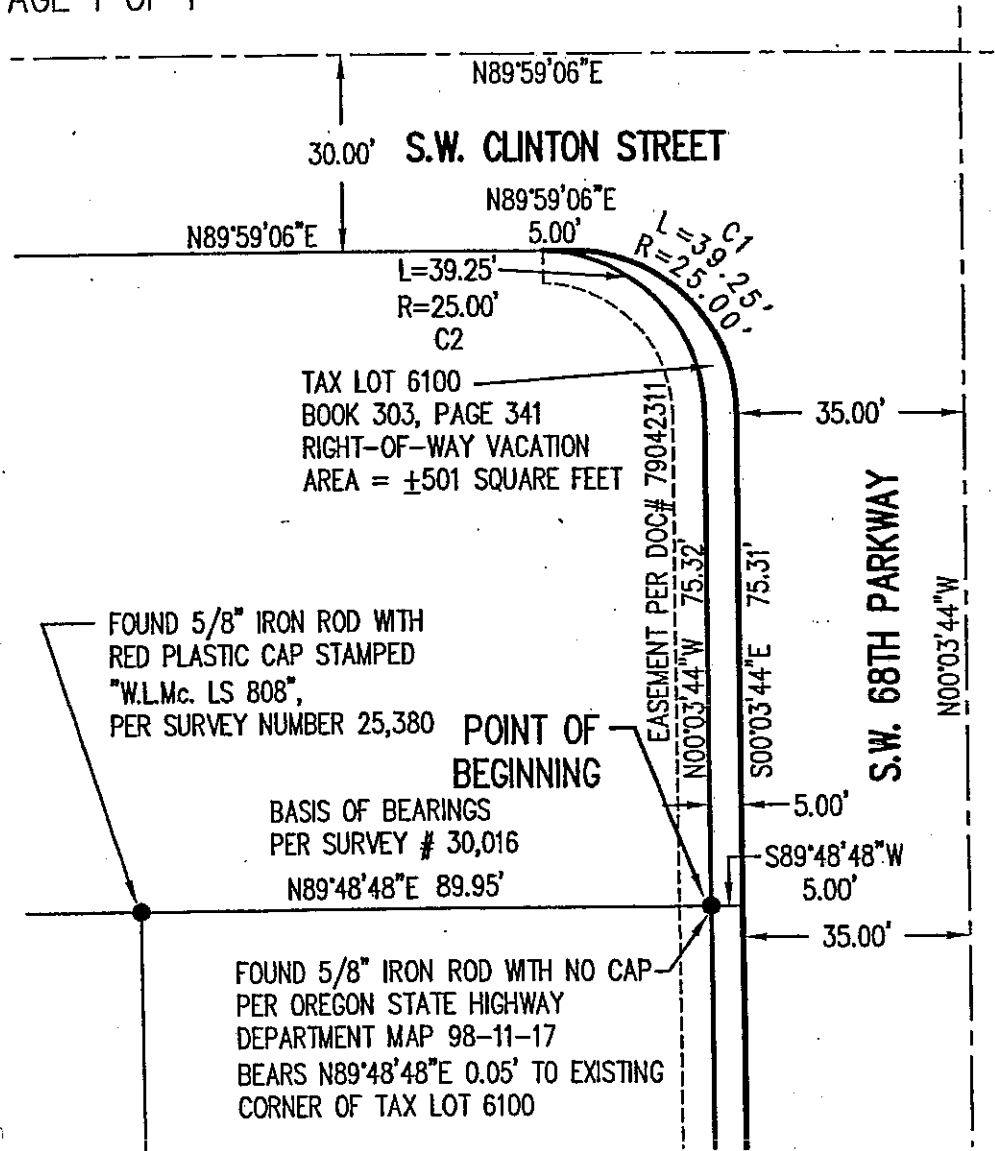
SCALE 1" = 30 FEET



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JANUARY 15, 2002  
CLINTON H. STUBBS JR.  
55469LS

RENEWAL DATE: 06/30/06



CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	39.25'	25.00'	89°57'11"	35.34'	S45°02'19"E
C2	39.25'	25.00'	89°57'11"	35.34'	N45°02'19"W

PREPARED FOR:

SPECHT DEVELOPMENT, INC  
15400 SW MILLIKAN WAY  
BEAVERTON, OR 97006

JOB NAME: DARTMOUTH ST.

JOB NUMBER: 56

DRAWING NUMBER: 56DEDICATIONS

DRAWN BY: CHS

CHECKED BY: CHS

**NORTHWEST**  
**SURVEYING, LLC**

PO BOX 7177  
BEAVERTON, OR 97007  
PHONE: 503-848-2127  
FAX: 503-848-2179  
EMAIL: nwsurveying@verizon.net

**EXHIBIT A-3**

Page 1 of 1

Prepared By:  
**NORTHWEST SURVEYING, LLC**  
PO Box 7177  
Beaverton, OR 97007  
503-848-2127

**LEGAL DESCRIPTION FOR  
S.W. 68<sup>TH</sup> PARKWAY  
RIGHT OF WAY VACATION  
TAX LOT # 6700 AND 6800, MAP 1S136DD**

Real Property situated in the City of Tigard, Washington County, Oregon, being a portion of that parcel as described in deed to Gordon C. Root, Jack B. Root and Wilma L. Root, recorded under Document Number 99-002709, records of said county, lying in the southeast quarter of Section 36, Township 1 South, Range 1 West of the Willamette Meridian, more particularly described as follows:

Beginning at the northeast corner of said Gordon C. Root, Jack B. Root and Wilma L. Root parcel, said point being on the westerly right of way line S.W. 68<sup>th</sup> Parkway, from said point a 5/8" iron rod with a no cap bears South 89°48'48" West 0.05 feet;  
Thence along the easterly extension of the northerly line of said parcel, North 89°48'48" East 5.00 feet to a point 35.00 feet measured at right angles from the centerline of said S.W. 68<sup>th</sup> Parkway;  
Thence parallel with said centerline, South 00°03'44" East 101.71 feet to the easterly extension of the south line of said Gordon C. Root, Jack B. Root and Wilma L. Root parcel;  
Thence along said easterly extension North 89°59'58" West 5.00 feet to the westerly right of way line of said S.W. 68<sup>th</sup> Parkway;  
Thence along said westerly right of way line North 00°03'44" West 101.69 feet to the point of beginning.

The above described tract contains 508 square feet, more or less.

The basis of bearings for this description is between found monuments along the northerly line of said Gordon C. Root, Jack B. Root and Wilma L. Root parcel, per survey number 30,016, on record with the Washington County Surveyor's Office.

# EXHIBIT B-3

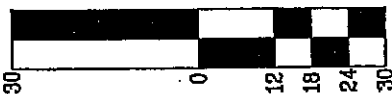
EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION  
A 5.00 FOOT WIDE RIGHT OF WAY VACATION  
FOR TAX LOT 6700 AND 6800 MAP 1S136DD  
CITY OF TIGARD, WASHINGTON COUNTY, OREGON

AUGUST 15, 2005

PAGE 1 OF 1



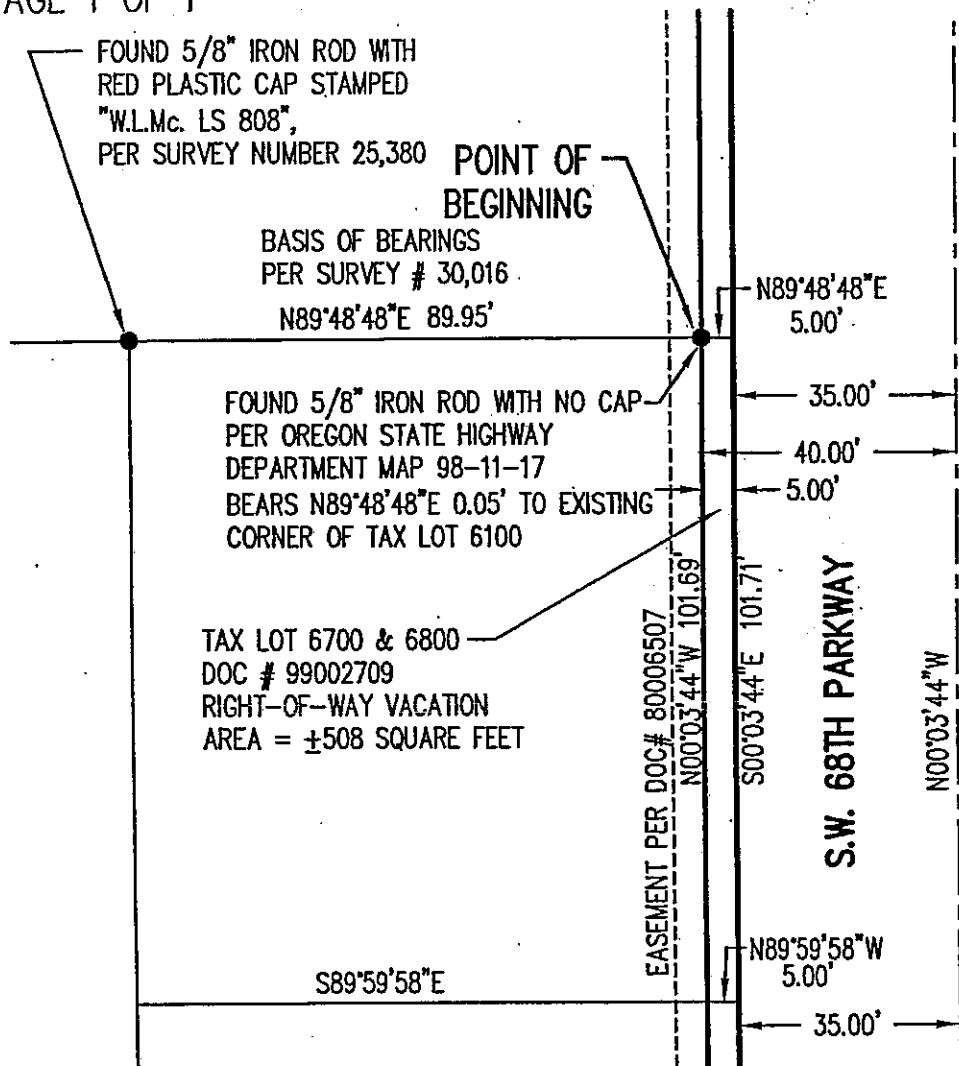
SCALE 1" = 30 FEET



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JANUARY 15, 2002  
CLINTON H. STUBBS JR.  
55469LS

RENEWAL DATE: 06/30/06



CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	39.25'	25.00'	89°57'11"	35.34'	S45°02'19"E
C2	39.25'	25.00'	89°57'11"	35.34'	N45°02'19"W

PREPARED FOR:

SPECHT DEVELOPMENT, INC  
15400 SW MILLIKAN WAY  
BEAVERTON, OR 97006

JOB NAME: DARTMOUTH ST.

JOB NUMBER: 56

DRAWING NUMBER: 56DEDICATIONS

DRAWN BY: CHS

CHECKED BY: CHS

**NORTHWEST**  
**SURVEYING, LLC**

PO BOX 7177  
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PHONE: 503-848-2127  
FAX: 503-848-2179

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**EXHIBIT A -4**

Page 1 of 1

Prepared By:  
**NORTHWEST SURVEYING, LLC**  
PO Box 7177  
Beaverton, OR 97007  
503-848-2127

**LEGAL DESCRIPTION FOR  
S.W. 68<sup>TH</sup> PARKWAY  
RIGHT OF WAY VACATION  
TAX LOT # 6600, MAP 1S136DD**

Real Property situated in the City of Tigard, Washington County, Oregon, being a portion of that parcel as described in deed to Gordon C. Root, Jack B. Root and Wilma L. Root, recorded under Document Number 98-056127, records of said county, lying in the southeast quarter of Section 36, Township 1 South, Range 1 West of the Willamette Meridian, more particularly described as follows:

Beginning at the northeast corner of said Gordon C. Root, Jack B. Root and Wilma L. Root parcel, said point being on the westerly right of way line S.W. 68<sup>th</sup> Parkway, and being marked by a 5/8" iron rod with a no cap;  
Thence along the easterly extension of the northerly line of said parcel, South 89°59'58" East 5.00 feet to a point 35.00 feet measured at right angles from the centerline of said S.W. 68<sup>th</sup> Parkway;  
Thence parallel with said centerline, South 00°03'44" East 71.45 feet to a tangent curve;  
Thence along said curve to the right having a radius of 25.00 feet, a delta angle of 36°52'12"; a long chord bearing South 18°22'22" West 15.81 feet, and a length of 16.09 feet to the westerly right of way line of said S.W. 68<sup>th</sup> Parkway;  
Thence along said westerly right of way line North 00°03'44" West 86.46 feet to the point of beginning.

The above described tract contains 408 square feet, more or less.

The basis of bearings for this description is between found monuments along the northerly line of said Gordon C. Root, Jack B. Root and Wilma L. Root parcel, per survey number 30,016, on record with the Washington County Surveyor's Office.

# EXHIBIT B-4

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION  
VARIED WIDTH RIGHT OF WAY VACATION  
FOR TAX LOT 6600 MAP 1S136DD  
CITY OF TIGARD, WASHINGTON COUNTY, OREGON  
AUGUST 15, 2005  
PAGE 1 OF 1



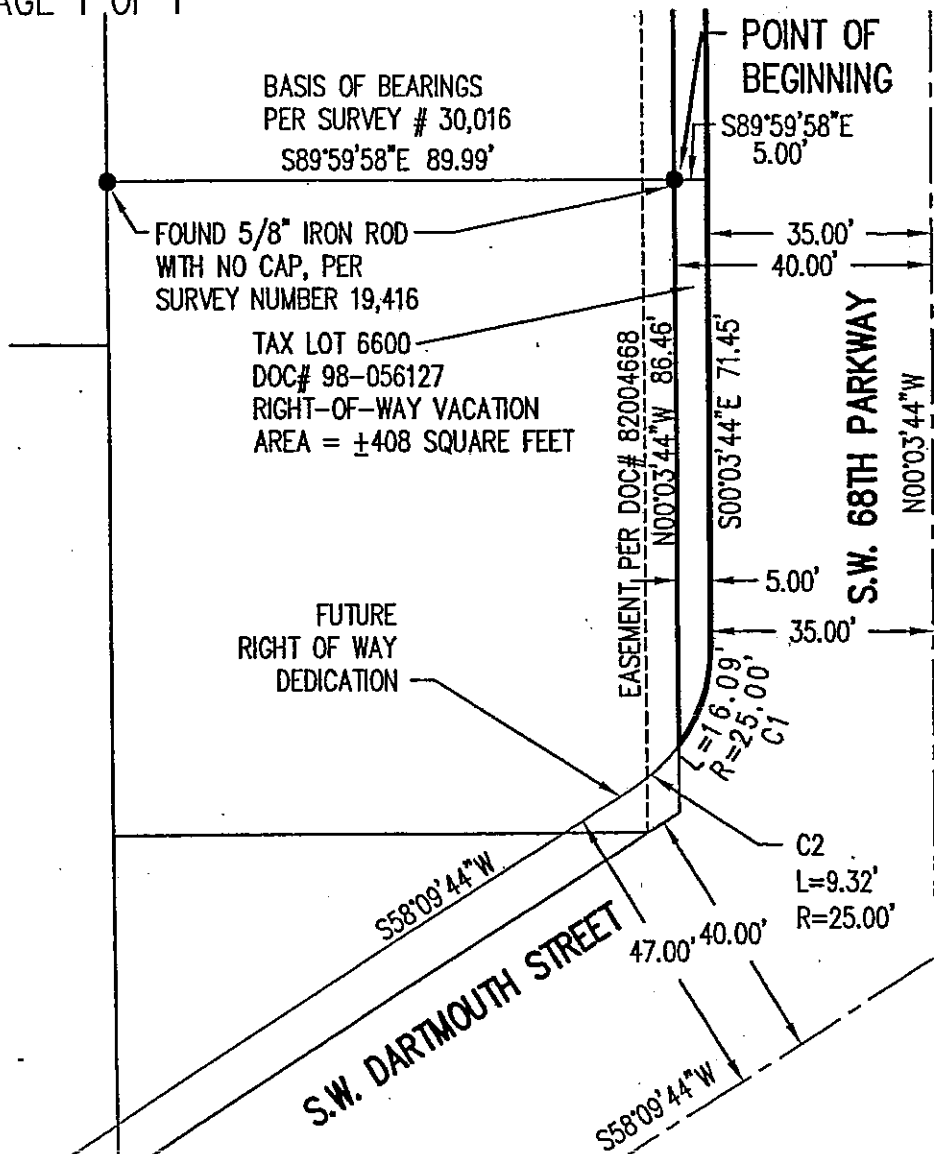
SCALE 1" = 30 FEET



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JANUARY 15, 2002  
CLINTON H. STUBBS JR.  
55469LS

RENEWAL DATE: 06/30/06



CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	16.09'	25.00'	36°52'12"	15.81'	S18°22'22"W
C2	9.32'	25.00'	21°21'15"	9.26'	N47°29'06"E

PREPARED FOR:

SPECHT DEVELOPMENT, INC  
15400 SW MILLIKAN WAY  
BEAVERTON, OR 97006

JOB NAME: DARTMOUTH ST.

JOB NUMBER: 56

DRAWING NUMBER: 56DEDICATIONS

DRAWN BY: CHS

CHECKED BY: CHS

NORTHWEST

SURVEYING, LLC

PO BOX 7177  
BEAVERTON, OR 97007  
PHONE: 503-848-2127  
FAX: 503-848-2179  
EMAIL: nwsurveying@verizon.net

**EXHIBIT A - 5**

Page 1 of 1

Prepared By:  
**NORTHWEST SURVEYING, LLC**  
PO Box 7177  
Beaverton, OR 97007  
503-848-2127

**LEGAL DESCRIPTION FOR  
S.W. DARTMOUTH STREET AND S.W. 69<sup>TH</sup> AVENUE  
RIGHT OF WAY VACATION  
TAX LOT # 6300, MAP 1S136DD**

Real Property situated in the City of Tigard, Washington County, Oregon, being a portion of that parcel as described in deed to Gordon C. Root, Jack B. Root and Wilma L. Root, recorded under Document Number 98-056127, records of said county, lying in the southeast quarter of Section 36, Township 1 South, Range 1 West of the Willamette Meridian, more particularly described as follows:

Beginning at the southwest corner of said Gordon C. Root, Jack B. Root and Wilma L. Root parcel, said point being on the easterly right of way line S.W. 69<sup>th</sup> Avenue, and being marked by a 5/8" iron rod with a no cap;

Thence along the southerly line of said parcel, North 89°50'20" East 90.92 feet to a point 47.00 feet measured at right angles from the centerline of said S.W. Dartmouth Street;

Thence along a curve to the right, being a 47.00 foot offset from the centerline of said S.W. Dartmouth Street and having a radius of 393.47 feet, a delta angle of 9°13'26"; a long chord bearing South 63°11'42" West 63.28 feet, and a length of 63.34 feet to a tangent curve;

Thence along said curve to the right having a radius of 25.00 feet, a delta angle of 112°09'42"; a long chord bearing North 56°06'44" West 41.49 feet, and a length of 48.94 feet to a point 30.00 feet measured at right angles to the centerline of S.W. 69<sup>th</sup> Avenue; Thence parallel with said centerline of S.W. 69<sup>th</sup> Avenue, North 00°01'53" West 5.14 feet to the point of beginning.

The above described tract contains 1,755 square feet, more or less.

The basis of bearings for this description is between found monuments along the easterly right of way line of said S.W. 69<sup>th</sup> Avenue, per survey number 30,016, on record with the Washington County Surveyor's Office.

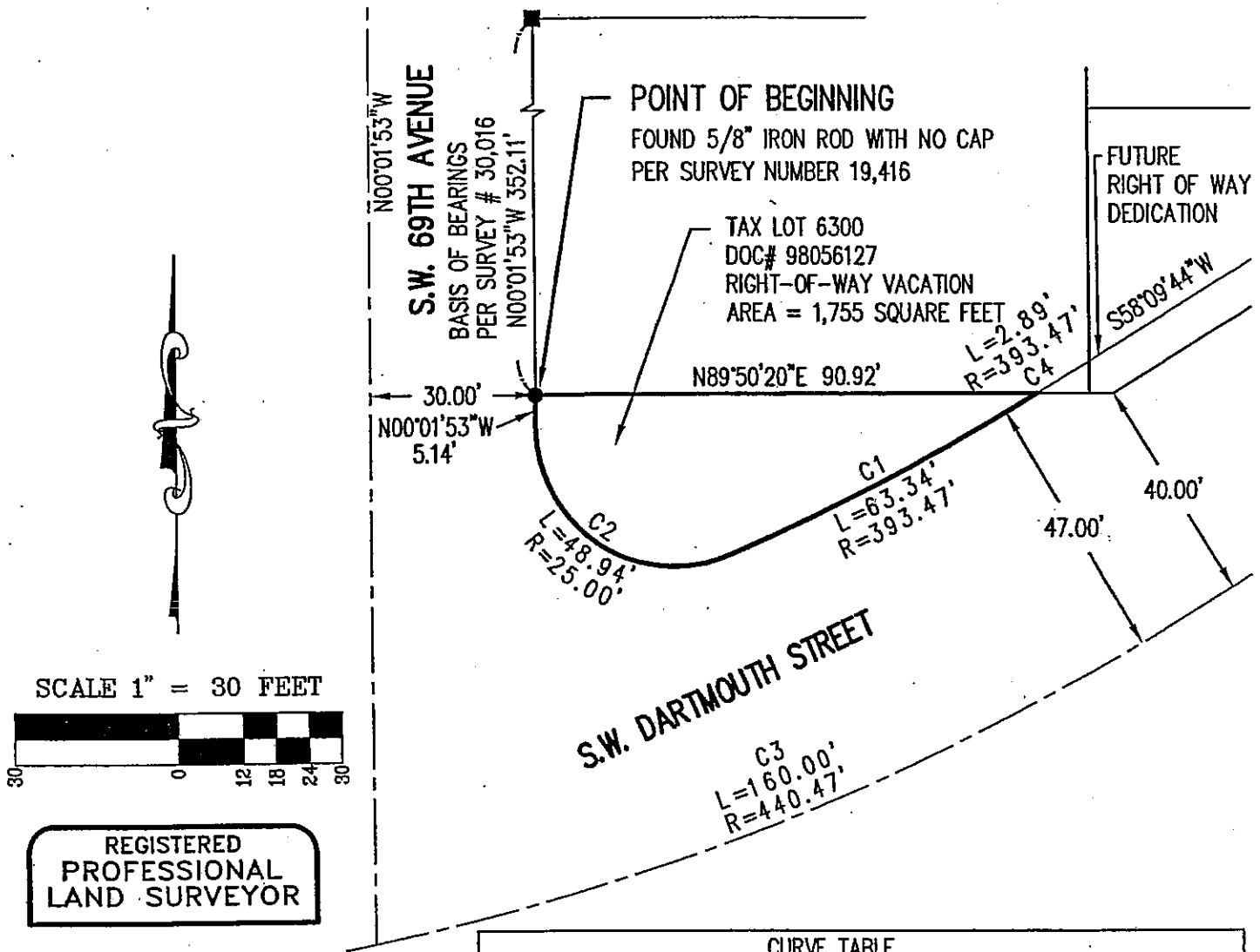
# EXHIBIT B-5

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION  
VARIED WIDTH RIGHT OF WAY VACATION  
FOR TAX LOT 6600 MAP 1S136DD  
CITY OF TIGARD, WASHINGTON COUNTY, OREGON

AUGUST 15, 2005

PAGE 1 OF 1

■ FOUND 5/8" IRON ROD WITH  
YELLOW PLASTIC CAP STAMPED  
"NORTHWEST SURVEYING, LLC",  
PER SURVEY NUMBER 30,016



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JANUARY 15, 2002  
CLINTON H. STUBBS JR.  
55469LS  
RENEWAL DATE: 06/30/06

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	63.34'	393.47'	9°13'26"	63.28'	S63°11'42"W
C2	48.94'	25.00'	112°09'42"	41.49'	N56°06'44"W
C3	160.00'	440.47'	20°48'48"	159.13'	N68°34'07"E
C4	2.89'	393.47'	0°25'15"	2.89'	N58°22'21"E

PREPARED FOR:

SPECHT DEVELOPMENT, INC  
15400 SW MILLIKAN WAY  
BEAVERTON, OR 97006

JOB NAME: DARTMOUTH ST.

JOB NUMBER: 56

DRAWING NUMBER: 56DEDICATIONS

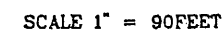
DRAWN BY: CHS

CHECKED BY: CHS

**NORTHWEST**  
**SURVEYING, LLC**

PO BOX 7177  
BEAVERTON, OR 97007  
PHONE: 503-848-2127  
FAX: 503-848-2179  
EMAIL: nwsurveying@verizon.net

## ATTACHMENT 2



**NORTHWEST SURVEYING LLC**  
PO BOX 7177 BEAVERTON, OR 97007  
PHONE: 503-848-2127 FAX: 503-848-2179  
EMAIL: [nmsurveying@nwslon.net](mailto:nmsurveying@nwslon.net)

**PROPOSED  
RIGHT OF WAY**

**DARTMOUTH STREET**

**OFECOM**

**THORP**

DRAWING NO: 50702  
 SCALE: AS NOTED  
 DRAWING REVISIONS BY: 112  
 DRAWING BY: D/S  
 CHECKED BY: D/S  
**PREPARED FOR:**  
 SPEIGHT DEVELOPMENT, INC.  
 15400 SW MILLIKEN WAY  
 BEAVERTON, OR 97006

REVISIONS:

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

ONE COPY  
JANUARY 10, 1997  
CLAYTON K. STUBBS JR.  
93-6765  
RECEIVED DATE: 01/31/97

**JOB NUMBER**

58

SHEET  
4 OF 6



## ATTACHMENT 3

SPECHT PROPERTIES  
SPECHT DEVELOPMENT

September 9, 2005

15400 S.W. Millikan Way • Beaverton OR 97006  
503/646-2202 Fax 503/626-8903  
www.spechtprop.com

City Council  
**City of Tigard**  
13125 SW Hall Blvd  
Tigard, OR 97223

**Via: Delivery**

**Re: Request for Council to Initiate Vacation Proceedings**

Dear City Council Members:

Specht Development, Inc. (or an affiliated entity) intends to assemble eleven parcels of land North of Dartmouth and between 68<sup>th</sup> and 69<sup>th</sup> street for the development of an office building. Specht intends to submit a Site Plan Application within six months. Based on the July 22, 2005 pre-application meeting with City Staff, we understand that certain portions of the parcels must be dedicated and certain portions of Right of Way must be vacated to meet the City's Comprehensive Plan. In order to make the future Site Plan Application as accurate as possible, Specht would like to have all the dedication/vacations completed prior to application.

**Specht respectfully requests that the City accept the following dedications of Right of Way:**

1. Tax Lot # 3001 Map 1S136DD +-36 SF West side of 68<sup>th</sup> Parkway North of Clinton Street,
2. Tax Lot # 3100 Map 1S136DD +-134 SF on the NE corner of 68<sup>th</sup> & Clinton Streets,
3. Tax Lot # 6100 Map 1S136DD +-134 SF on the SE corner of 68<sup>th</sup> & Clinton Streets.

**Specht respectfully requests that the City initiate the following vacations of Right of Way:**

1. Tax Lot # 3001 Map 1S136DD +-220 SF West side of 68<sup>th</sup> Parkway North of Clinton Street,
2. Tax Lot # 6100 Map 1S136DD +-501 SF West side of 68<sup>th</sup> Parkway South of Clinton Street,
3. Tax Lot # 6700 & 6800 Map 1S136DD +-508 SF West side of 68<sup>th</sup> Parkway South of Clinton Street,
4. Tax Lot # 6600 Map 1S136DD +-408 SF West side of 68<sup>th</sup> Parkway North of Dartmouth Street,
5. Tax Lot # 6300 Map 1S136DD +-1755 SF on the NE corner of 68<sup>th</sup> and Dartmouth Streets.

Legal descriptions and maps for each of the above dedications/vacations are enclosed. Thank you for your consideration of this request.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Joe Curran', written over a printed name and title.

Joe Curran  
Senior Project Manager

**EXHIBIT A**

Page 1 of 1

Prepared By:  
**NORTHWEST SURVEYING, LLC**  
PO Box 7177  
Beaverton, OR 97007  
503-848-2127

**LEGAL DESCRIPTION FOR  
S.W. 69<sup>TH</sup> AVENUE  
RIGHT OF WAY DEDICATION  
TAX LOT # 6100, MAP 1S136DD**

Real Property situated in the City of Tigard, Washington County, Oregon, being a portion of that parcel as described in deed to Robert S. Hogg and Harriett L. Hogg, recorded under Book 303, Page 341, records of said county, lying in the southeast quarter of Section 36, Township 1 South, Range 1 West of the Willamette Meridian, more particularly described as follows:

Beginning at the northwest corner of said Robert S. Hogg and Harriett L. Hogg parcel, said point being at the intersection of the easterly right of way line S.W. 69<sup>th</sup> Avenue and the southerly right of way line of S.W. Clinton Street, and being marked by a 5/8" iron rod with a yellow plastic cap stamped "Northwest Surveying, LLC";  
Thence along said southerly right of way line, North 89°59'06" East 25.01 feet;  
Thence leaving said northerly right of way line along a curve with a tangent bearing of South 89°59'06" West to the left and having a radius of 25.00 feet, a delta angle of 90°00'59", a long chord bearing South 44°58'36" West 35.36 feet, and a length of 39.28 feet to said easterly right of way line of S.W. 69<sup>th</sup> Avenue;  
Thence along said easterly right of way line, North 00°01'53" West 25.01 feet to the point of beginning.

The above described tract contains 134 square feet, more or less.

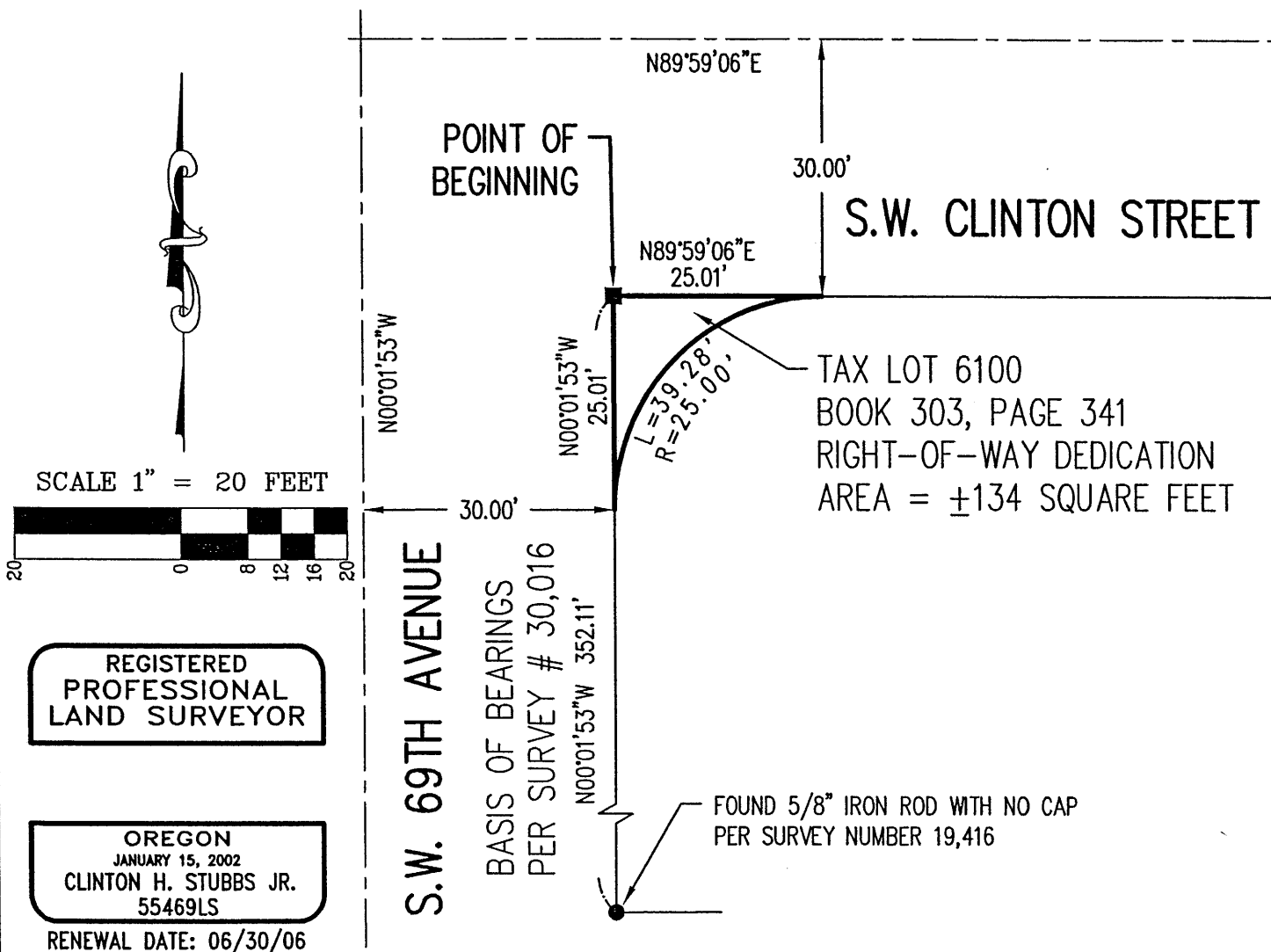
The basis of bearings for this description is between found monuments along the easterly right of way line of S.W. 69<sup>th</sup> Avenue, per survey number 30,016, on record with the Washington County Surveyor's Office.

# EXHIBIT B

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION  
VARIED WIDTH RIGHT OF WAY DEDICATION  
FOR TAX LOT 6100 MAP 1S136DD  
CITY OF TIGARD, WASHINGTON COUNTY, OREGON  
AUGUST 15, 2005  
PAGE 1 OF 1

■ FOUND 5/8" IRON ROD WITH  
YELLOW PLASTIC CAP STAMPED  
"NORTHWEST SURVEYING, LLC",  
PER SURVEY NUMBER 30,016

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	39.28'	25.00'	90°00'59"	35.36'	S44°58'36"W



PREPARED FOR:

SPECHT DEVELOPMENT, INC  
15400 SW MILLIKAN WAY  
BEAVERTON, OR 97006

JOB NAME: DARTMOUTH ST.

JOB NUMBER: 56

DRAWING NUMBER: 56DEDICATIONS

DRAWN BY: CHS

CHECKED BY: CHS

**NORTHWEST**  
**SURVEYING, LLC**

PO BOX 7177  
BEAVERTON, OR 97007  
PHONE: 503-848-2127  
FAX: 503-848-2179

EMAIL: nwsurveying@verizon.net



**EXHIBIT A**

Page 1 of 1

**Prepared By:  
NORTHWEST SURVEYING, LLC  
PO Box 7177  
Beaverton, OR 97007  
503-848-2127**

**LEGAL DESCRIPTION FOR  
S.W. 68<sup>TH</sup> PARKWAY  
RIGHT OF WAY DEDICATION  
TAX LOT # 3100, MAP 1S136DD**

Real Property situated in the City of Tigard, Washington County, Oregon, being a portion of that parcel as described in deed to Gordon C. Root, Jack B. Root and Wilma L. Root, recorded under Document Number 98-060196, records of said county, lying in the southeast quarter of Section 36, Township 1 South, Range 1 West of the Willamette Meridian, more particularly described as follows:

Beginning at the southwest corner of said Gordon C. Root, Jack B. Root and Wilma L. Root parcel, said point being at the intersection of the easterly right of way line S.W. 69<sup>th</sup> Avenue and the northerly right of way line of S.W. Clinton Street, and being marked by a 5/8" iron rod with a yellow plastic cap stamped "Northwest Surveying, LLC";  
Thence along said northerly right of way line, North 89°59'06" East 25.01 feet;  
Thence leaving said northerly right of way line along a curve with a tangent bearing of South 89°59'06" West to the right and having a radius of 25.00 feet, a delta angle of 90°01'34", a long chord bearing North 45°00'07" West 35.36 feet, and a length of 39.28 feet to said easterly right of way line of S.W. 69<sup>th</sup> Avenue;  
Thence along said easterly right of way line, South 00°00'40" West 25.01 feet to the point of beginning.

The above described tract contains 134 square feet, more or less.

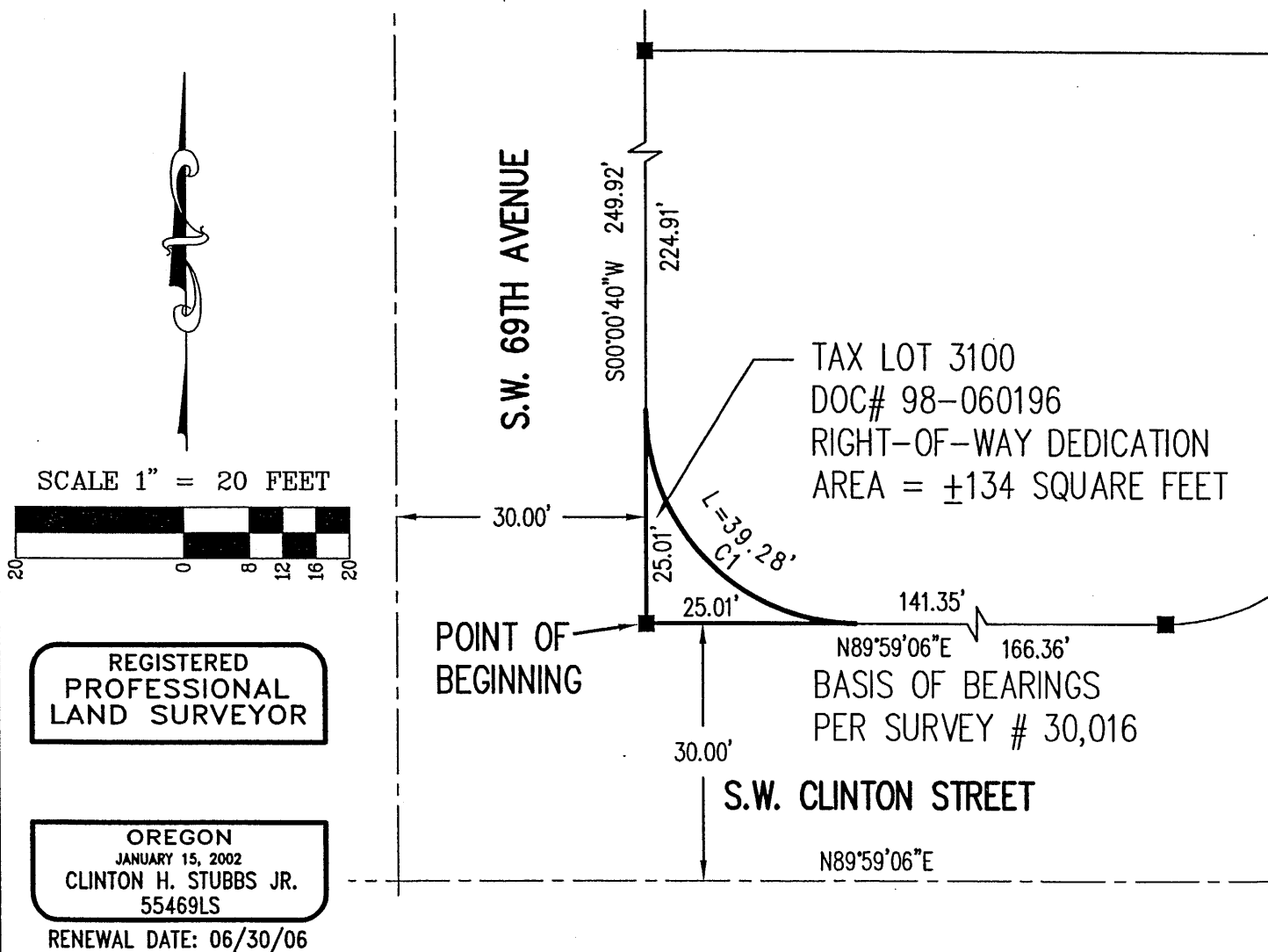
The basis of bearings for this description is between found monuments along the northerly right of way line of S.W. Clinton Street, per survey number 30,016, on record with the Washington County Surveyor's Office.

# EXHIBIT B

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION  
VARIED WIDTH RIGHT OF WAY DEDICATION  
FOR TAX LOT 3100 MAP 1S136DD  
CITY OF TIGARD, WASHINGTON COUNTY, OREGON  
AUGUST 8, 2005  
PAGE 1 OF 1

■ FOUND 5/8" IRON ROD WITH  
YELLOW PLASTIC CAP STAMPED  
"NORTHWEST SURVEYING, LLC",  
PER SURVEY NUMBER 30,016

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	39.28'	25.00'	90°01'34"	35.36'	N45°00'07"W



<b>PREPARED FOR:</b>  SPECHT DEVELOPMENT, INC 15400 SW MILLIKAN WAY BEAVERTON, OR 97006	<b>JOB NAME:</b> DARTMOUTH ST.	<b>NORTHWEST</b>  <b>SURVEYING, LLC</b> PO BOX 7177 BEAVERTON, OR 97007 PHONE: 503-848-2127 FAX: 503-848-2179 EMAIL: nwsurveying@verizon.net
	<b>JOB NUMBER:</b> 56	
	<b>DRAWING NUMBER:</b> 56DEDICATIONS	
	<b>DRAWN BY:</b> CHS	
	<b>CHECKED BY:</b> CHS	

**EXHIBIT A**

Page 1 of 1

Prepared By:  
**NORTHWEST SURVEYING, LLC**  
PO Box 7177  
Beaverton, OR 97007  
503-848-2127

**LEGAL DESCRIPTION FOR  
S.W. 68<sup>TH</sup> PARKWAY  
RIGHT OF WAY DEDICATION  
TAX LOT # 3001, MAP 1S136DD**

Real Property situated in the City of Tigard, Washington County, Oregon, being a portion of that parcel as described in deed to Jack B. Root and Wilma L. Root, recorded under Document Number 2004-123997, records of said county, lying in the southeast quarter of Section 36, Township 1 South, Range 1 West of the Willamette Meridian, more particularly described as follows:

Beginning at the northeast corner of said Jack B. Root and Wilma L. Root parcel, said point being on the westerly right of way line S.W. 68<sup>th</sup> Parkway and being marked by a 5/8" iron rod with a yellow plastic cap stamped "Northwest Surveying, LLC";  
Thence along said westerly right of way line, South 02°13'48" West 42.37 feet to a point measuring 35.00 feet at right angles to the centerline of said S.W. 68<sup>th</sup> Parkway;  
Thence northerly parallel with the centerline of said S.W. 68<sup>th</sup> Parkway, North 00°03'44" West 42.34 feet to the north line of said Jack B. Root and Wilma L. Root parcel;  
Thence along said north line, North 89°59'06" East 1.70 feet to the point of beginning.

The above described tract contains 36 square feet, more or less.

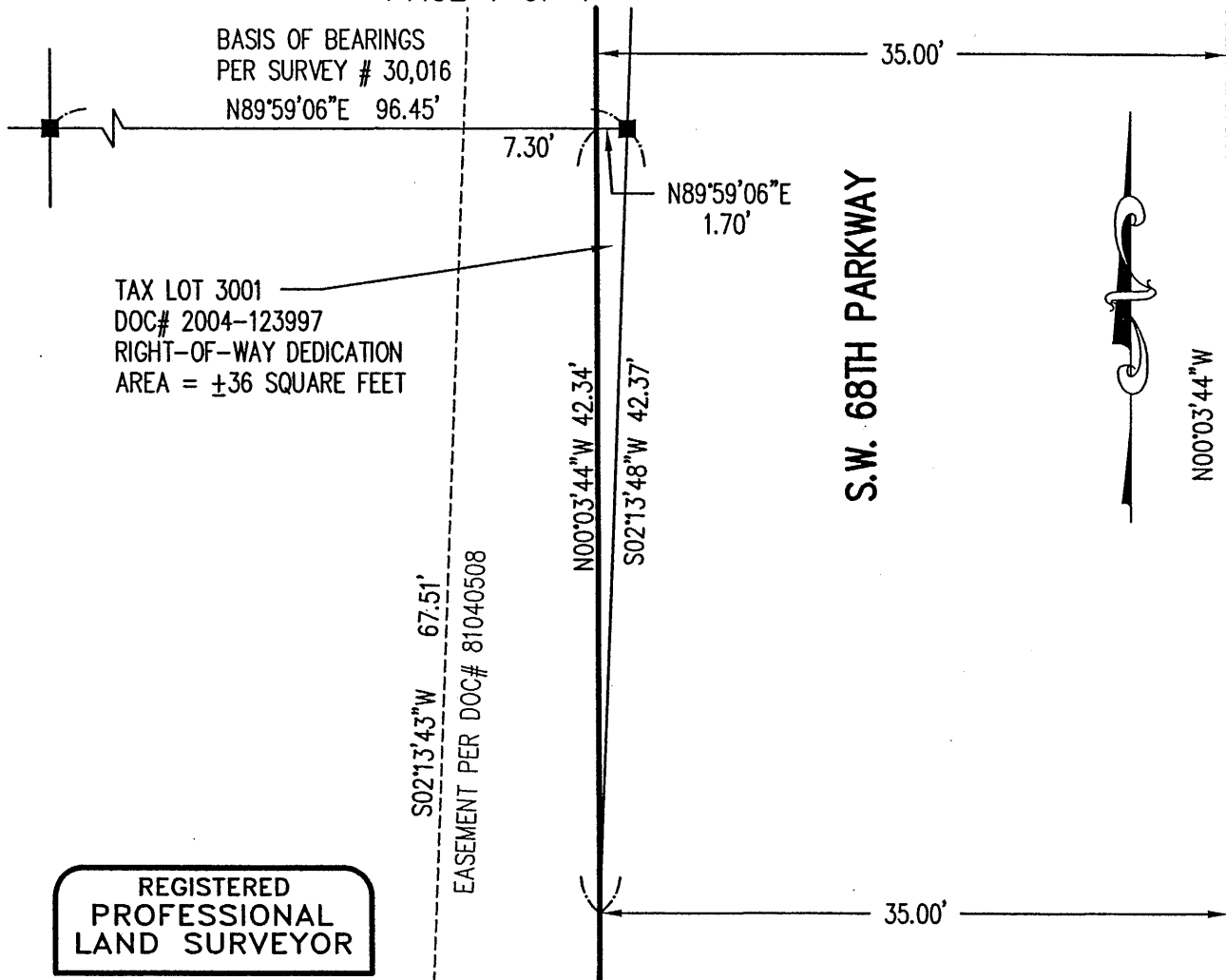
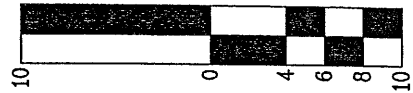
The basis of bearings for this description is between found monuments along the north line of said Jack B. Root and Wilma L. Root parcel, per survey number 30,016, on record with the Washington County Surveyor's Office.

# EXHIBIT B

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION  
VARIED WIDTH RIGHT OF WAY DEDICATION  
FOR TAX LOT 3001 MAP 1S136DD  
CITY OF TIGARD, WASHINGTON COUNTY, OREGON  
AUGUST 8, 2005

PAGE 1 OF 1

SCALE 1" = 10 FEET



PREPARED FOR:

SPECHT DEVELOPMENT, INC  
15400 SW MILLIKAN WAY  
BEAVERTON, OR 97006

JOB NAME: DARTMOUTH ST.

JOB NUMBER: 56

DRAWING NUMBER: 56DEDICATIONS

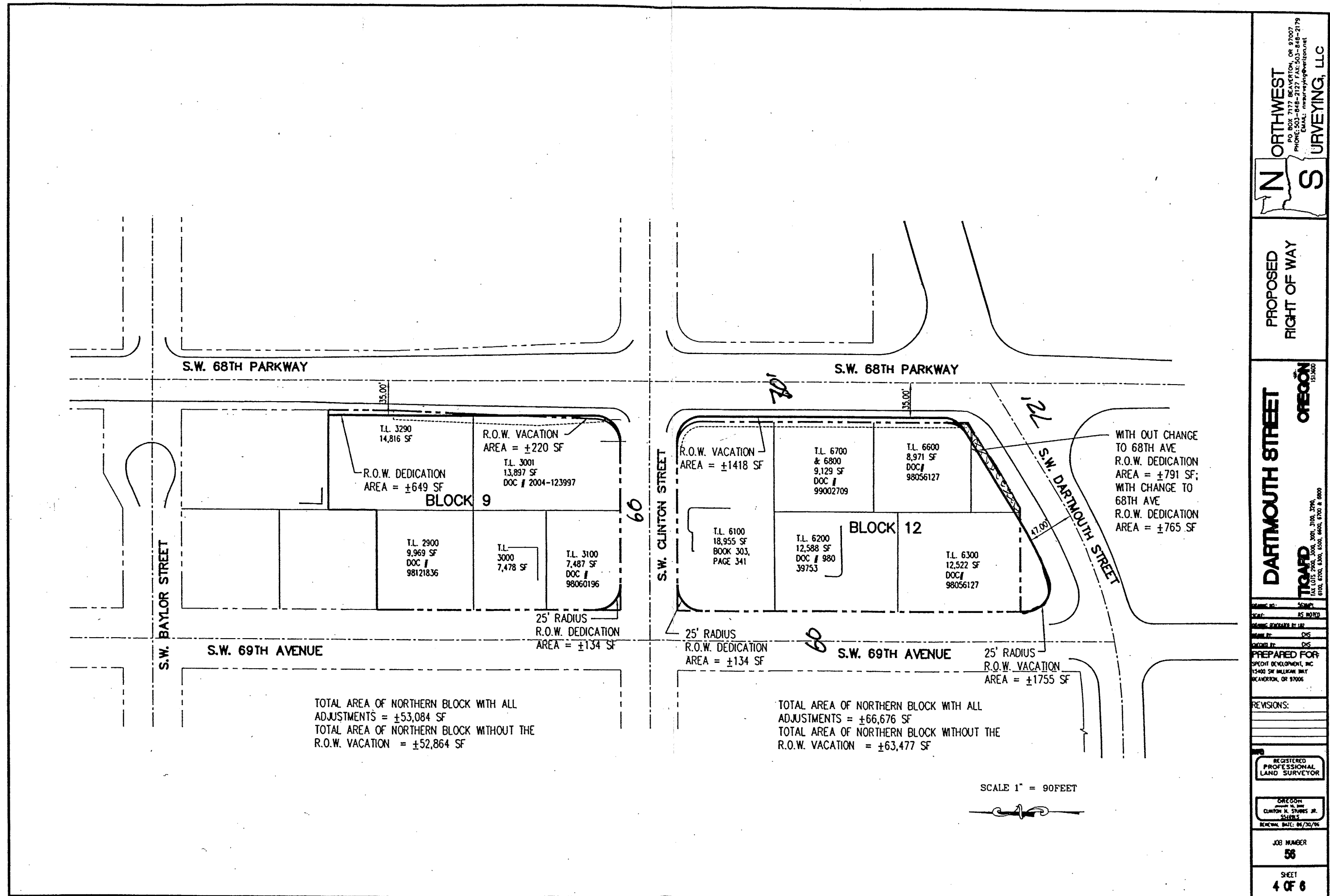
DRAWN BY: CHS

CHECKED BY: CHS

**NORTHWEST**  
**SURVEYING, LLC**


PO BOX 7177  
BEAVERTON, OR 97007  
PHONE: 503-848-2127  
FAX: 503-848-2179  
EMAIL: nwsurveying@verizon.net

## RIGHT OF WAY MAP



CITY OF TIGARD, OREGON  
LOCAL CONTRACT REVIEW BOARD (LCRB) AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE A RESOLUTION ADOPTING REVISIONS TO THE CITY'S PUBLIC CONTRACTING RULES AS REQUIRED BY NEW STATE LAWS.

PREPARED BY: Joe Barrett DEPT HEAD OK  CITY MGR OK CP

ISSUE BEFORE THE LOCAL CONTRACT REVIEW BOARD

Shall the Local Contract Review Board approve a resolution adopting revisions to the City's Public Contracting Rules as required by new State laws?

STAFF RECOMMENDATION

Staff recommends that the Local Contract Review Board approve the resolution revising the City's Public Contracting Rules as required due to changes in State laws.

INFORMATION SUMMARY

At its February 22, 2005 meeting, the City's Local Contract Review Board (LCRB) approved a resolution which adopted the City's current Public Contracting Rules under the authority granted to the LCRB under Tigard Municipal Code, Section 2.46. These Rules apply to and guide all contracting, purchasing, and disposing of personal property (except real property) by the City.

Oregon's 2005 Legislature session produced significant changes to laws that relate to public purchasing and contracting throughout the State. As these changes affect the responsibility of the City and other public agencies, as well as contractors and subcontractors, the City's Public Contracting Rules require a revision.

Staff has worked closely with the City Attorney's Office to make the appropriate and necessary changes to the Public Contracting Rules to have them meet the new requirements. The majority of the changes involve Prevailing Wage Rate Law which impact the City's agreements for public improvement projects. Changes affecting the City that are addressed in the revised Public Contracting Rules include the following:

- ✓ An increase in the threshold for coverage under the Prevailing Wage Rate Law is increased from \$25,000 to \$50,000.
- ✓ City is now required to withhold 25% of amounts owed to contractors if certified payrolls are not filed by the contractor as required for work performed on projects falling under Prevailing Wage Rate laws.
- ✓ City is required to verify that contractor and subcontractors have filed a public works bond with a corporate surety in the amount of \$30,000 with the Construction Contractors Board before beginning any project falling under Prevailing Wage Rate Law.
- ✓ The threshold requiring the use of a Qualification Based Selection process is raised from \$400,000 to \$900,000 for professional service contracts involving at least 10% funding from the State.

A memo explaining the required changes to the Public Contracting Rules was sent to members of the City Council on December 16, 2005. The revised Public Contracting Rules themselves make up a significantly large document of over eighty pages. Due to the size of the document, it has not been attached. Copies of the Public Contracting Rules may be requested by contacting Joe Barrett, Buyer, in the Purchasing Office.

---

OTHER ALTERNATIVES CONSIDERED

None.

---

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

None.

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ATTACHMENT LIST

1. Resolution.
2. December 16, 2005 Memo.

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FISCAL NOTES

There are no costs associated with this item.

CITY OF TIGARD, OREGON  
LOCAL CONTRACT REVIEW BOARD  
RESOLUTION NO. 06-\_\_\_\_\_

A RESOLUTION ADOPTING REVISIONS TO THE CITY'S PUBLIC CONTRACTING RULES AS REQUIRED BY NEW STATE LAWS.

---

WHEREAS, the City Council, acting as Tigard's Local Contract Review Board, under the authority granted under Tigard Municipal Code, Section 2.46, has adopted Public Contracting Rules applicable to contracting, procurement, and surplus disposal procedures and rules governing exemptions; and

WHEREAS, the Oregon Legislature may revise laws relating to public contracting and purchasing in the State that would lead the City's Public Contracting Rules to be in conflict with the revised laws; and

WHEREAS, the 2005 Oregon Legislature has made changes to laws applicable to public contracting and purchasing; and

WHEREAS, revisions to the City of Tigard's Public Contracting Rules are required to stay in compliance with the changes in laws passed by the 2005 Oregon Legislature; and

WHEREAS, the Local Contract Review Board has determined that it is in the City's best interest to revise the City's own Public Contracting Rules as they better suit the needs of the City and its citizens than do the Attorney General model rules; and

WHEREAS, the City of Tigard finds that there will be a future need for the City to enter into public contracts and that it is therefore appropriate for the City to revise Public Contracting Rules so they are consistent with the revised State laws.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1:       The City Council, acting as Tigard's Local Contract Review Board, hereby adopts the revised Public Contracting Rules attached as Exhibit A pursuant to the authority granted the Board by Tigard Municipal Code Section 2.46. These rules shall apply to all contracting, purchasing, and disposing of surplus personal property by the City of Tigard.

SECTION 2:       The model rules adopted or to be adopted by the Oregon Attorney General do not apply to contracting for the City of Tigard.

SECTION 3:       This resolution is effective immediately upon passage.



PASSED: This \_\_\_\_\_ day of \_\_\_\_\_ 2006.

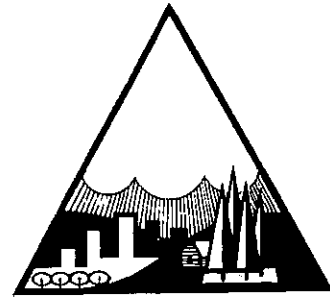
\_\_\_\_\_  
Mayor - City of Tigard

ATTEST:

\_\_\_\_\_  
City Recorder - City of Tigard

# MEMORANDUM

TO: Mayor and City Council  
FROM: Joe Barrett, Buyer  
RE: Public Contracting Rules Update  
DATE: December 12, 2005



The 2005 Legislature session produced significant changes to public purchasing and contracting throughout the State. As these changes affect the responsibility of the City and other public agencies, as well as contractors and subcontractors, the City's Public Contracting Rules (PCRs) require an update.

The majority of the changes involve Prevailing Wage Rate (PWR) Law which will impact the City's agreements for public improvement projects. Changes affecting the City (and their foreseen impact to the City) include the following:

- An increase in the threshold for coverage under the PWR law is increased from \$25,000 to \$50,000. *Impact – Lower administrative cost on projects falling under the new \$50,000 threshold.*
- City is now required to withhold 25% of amounts owed to contractors if certified payrolls are not filed by the contractor as required for work performed on projects falling under PWR law. *Impact – Higher administrative costs due to increased oversight of contractors and record keeping of certified payroll along with possible increase in tension between City and contractor that has not filed the required payroll.*
- City is required to verify that contractor and subcontractors have filed a public works bond with a corporate surety in the amount of \$30,000 with the Construction Contractors Board before beginning any project falling under PWR law. *Impact – Contractors new to government projects may attempt to include the cost of the bond in their bid, effectively passing the bond cost onto the City. The cost of the bond is estimated between 3% and 10% of the face value (\$900 to \$3,000).*
- The threshold requiring the use of a Qualification Based Selection (QBS) process is raised from \$400,000 to \$900,000 for professional service contracts involving at least 10% funding from the State. A QBS process mimics a Request for Proposal process but cost cannot be considered under a QBS process until the consultant has been selected based upon their qualifications. *Impact – Very minimal, the City has only been required to use this process once (architectural contract for the Library project).*

Staff will work with the City Attorney's Office to make the appropriate revisions to the City's PCRs and will bring the recommended changes before the Local Contract Review Board (LCRB) at a future meeting. To go into effect, the changes will need to be made by the LCRB approving a resolution amending the City's PCRs.

If you have any questions regarding these changes or any aspects of the PCRs please contact me at your convenience.

cc: Craig Prosser, City Manager  
Tom Imdieke, Int. Finance Director

Agenda Item No.: 4  
Meeting of: January 10, 2006

There are no materials for the

## STATE OF THE CITY ADDRESS

The City Recorder will prepare a summary of the Mayor's address after the January 10, 2006, meeting.

For more information, contact the City Recorder's Office at  
503-639-4171.

AGENDA ITEM # \_\_\_\_\_  
FOR AGENDA OF January 10, 2006

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE PRESENTATION OF NEW CITY LOGO

PREPARED BY: Elizabeth A. Newton 1/2 DEPT HEAD OK CA CITY MGR OK CA

ISSUE BEFORE THE COUNCIL

Presentation of the new city logo.

STAFF RECOMMENDATION

Formally present the new city logo to Tigard's citizens.

INFORMATION SUMMARY

One of Council's goals for 2005 was "Graphic Identity (Branding)" - revision of signage, logo and stationery. City Council worked with a graphic designer to develop a new city logo. A final design was selected in December 2005.

OTHER ALTERNATIVES CONSIDERED

Delay the presentation to a later date.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

N/A

ATTACHMENT LIST

N/A

FISCAL NOTES

The logo will be changed on letterhead, business cards, check stock and vehicles as existing stock is used and new orders are placed.

AGENDA ITEM # \_\_\_\_\_  
FOR AGENDA OF January 10, 2006

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE COUNCIL GOAL UPDATE

PREPARED BY: Joanne Bengtson JB DEPT HEAD OK el CITY MGR OK el

ISSUE BEFORE THE COUNCIL

Update on the progress of the Council goals for the fourth quarter of 2005.

STAFF RECOMMENDATION

Review and discuss the update.

INFORMATION SUMMARY

Attached are brief summaries of the progress made in the last quarter of 2005 on the Council goals developed by the Council in January 2005.

ATTACHMENT LIST

1- Fourth Quarter Goal Update Report

OTHER ALTERNATIVES CONSIDERED

N/A

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Goals are identified throughout the document and tasks developed by the City Council.

FISCAL NOTES

N/A

# Council Goals for 2005

## Goal 1. Revitalize Downtown

- Complete and implement the Downtown Plan

### Fourth Quarter Update

**For Urban Renewal, City Council passed a resolution on December 13, 2005, to schedule a May ballot measure authorizing the use of Tax Increment Financing for Downtown public improvements. The resolution is required by City Charter.**

### Third Quarter Update

In July, the consultant team finalized draft technical memoranda containing the discussions and recommendations related to improvements and changes to the transportation system, land uses and local regulations needed to carry out the Plan vision and the Preferred Design Alternative. The contents of these memos were presented to the Downtown Task Force at the July 7th meeting. After obtaining input on draft documents from Task Force members and City staff, the consultant team began making final revisions to the Plan document.

The proposed Plan was presented to the City Council at a business meeting on September 27, 2005. Following a presentation of the Plan by Downtown Task Force members and the consultant team Project Manager, Council unanimously approved a resolution accepting the findings and recommendations of the Tigard Downtown Improvement Plan.

### Second Quarter Update

The Downtown Task Force continued to engage the community through a series of dialog meetings throughout March and April. Working with the community, the Task Force has developed its preferred alternative for the Downtown Improvement Plan. On April 23, 2005, the Plan was shared with the community at a well-attended open house. This event included an overview of the Plan and exciting discussion of the steps necessary to make the Plan happen.

The Task Force is scheduled to complete their work on the Downtown Improvement Plan in September, 2005. The Task Force moved the completion date of the Plan from June, 2005 to provide for additional public input. Additional time was needed to complete technical work.

Over the summer, Council will receive a series of updates from the Task Force. In June, funding strategies were presented to Council. Land use recommendations will be presented in July. In September, Council will be presented any outstanding components of the Plan.

Implementation of the Downtown Improvement Plan will occur over the next 10-20 years. The City's Capital Improvement Program (CIP) includes several projects that focus on the Downtown. The Downtown Improvement Plan calls for enhanced street design throughout the Downtown. What will the streets look like? One of the CIP projects will answer this question and recommend specific improvements.

### First Quarter Update:

Based on the October, 2004 community dialogs and the workshop in December, the Downtown Improvement Plan has been revised. The Task Force is currently in the process of going through a second round of community dialogs to further refine the plan. A developers' forum was held on March 2<sup>nd</sup>. Eight metro-area developers attended this "reality check" forum with the Parametrix consultants. Many of the developers have built projects in Town Centers. The developers offered their experience and comments, focusing on access to, and visibility from, 99W; retail locations; future parking needs; financing; parcelization. The consultants are using their comments in the design revisions.

There was an Ash Avenue neighborhood meeting on March 9, 2005. This meeting served as a reality check on the "transportation assumptions" of connecting Ash Avenue eventually to SW Walnut. The Task Force will be considering this input as they proceed with the Plan.

- Urban renewal implementation
  - Public relations plan and vote

#### Fourth Quarter Update

On October 25, Council approved Phase II of the contract with Norton-Arnold & Company to provide support materials for presentations and outreach meetings, and participate in key public meetings. The Norton-Arnold & Company has completed this phase of their work.

Work on the Urban Renewal Plan continued, and on November 22, the Council passed a resolution adopting the Urban Renewal Plan for Downtown.

During the Urban Renewal planning process, there were approximately 10 small group presentations conducted by the Center City Advisory Committee (CCAC), and citywide notices to over 13,000 residents inviting them to the first Open House for Urban Renewal which took place on November 10. Small group presentations were designed to inform the public about the Urban Renewal process, answer questions, and receive comments.

In addition to the adoption of the Urban Renewal Plan, members of the Downtown Taskforce received certificates of acknowledgement by the City Council for their downtown planning efforts. Their term of service was ended by resolution of Council.

The City of Tigard was awarded the Good Governance Award by the Oregon Municipal League for its citizen planning effort for the Tigard Downtown Improvement Program. The award is given out to only one City annually.

Presentations to those taxing districts interested in the financial impacts of Tax Increment Financing were made. There were no comments received in writing from any of the districts. On December 13, City Council passed a resolution to schedule a May ballot measure authorizing the use of Tax Increment Financing for Downtown public improvements. The resolution is required by City Charter.

#### Third Quarter Update

During the second half of July, a telephone survey was conducted with 400 randomly selected Tigard voters (those who voted in the last two elections) to gauge awareness and support for the downtown revitalization effort. The survey found that 69% of respondents were aware of the downtown planning process and 67% said they would somewhat or strongly support using tax increment financing to pay for downtown improvements.

City Center Advisory Commission began work in July assisting the development of the Urban Renewal Public Outreach Plan and the draft Urban Renewal Plan. The CCAC collaborated with public outreach consultant, Norton-Arnold & Co., to form a strategy and identify a series of outreach activities, including discussions with community groups. The proposed Public Outreach Plan was adopted by Council on September 27, 2005.

At the same time, the CCAC, with assistance from consultant Tashman Johnson LLC, has been working on the draft urban renewal plan to be completed in early October. On October 18<sup>th</sup>, the City Center Development Agency is scheduled to refer the plan to the Planning Commission for that body's review and recommendations. A public hearing on the plan is set for October 31<sup>st</sup>. Council review and consideration of the Urban Renewal Plan is scheduled for November 22, 2005.

#### Second Quarter Update

The City completed the selection process to hire consultant services – Tashman Johnson, LLC and Norton-Arnold & Company. Tashman Johnson is responsible for preparing an Urban Renewal Plan leading to an election of the use of tax increment financing in May, 2006. Norton-Arnold & Co. is responsible for helping select the best strategies to engage the community to foster citizen understanding of the Urban Renewal Plan. This includes a public opinion poll to engage the community's level of awareness about urban renewal.



City Council appointed the City Center Advisory Commission to assist in the preparation of the Urban Renewal Plan. The Commission is made up of 6 representatives of the Downtown Task Force, a Planning Commissioner, a Park and Recreation Board member, and up to 4 City residents and/or Tigard property owners.

#### First Quarter Update:

Council's goal addressed Urban Renewal as a program for revitalizing the Downtown. Study session discussions have occurred on April 8<sup>th</sup> and 22<sup>nd</sup> on the necessary steps to establish an Urban Renewal Plan for the Downtown.

Council's direction is to take all necessary steps leading to a May, 2006 election on Urban Renewal and Tax Increment Financing for the Downtown, including proceeding toward consultant selection for public outreach and preparation of an urban renewal plan.

Washington County, Beaverton, Tigard and several service districts have been evaluating the feasibility of creating a Commuter Rail/Highway 217 Corridor Revitalization Project. The Project is evaluating the possibility of using tax increment financing to promote desirable development at station areas along the Commuter Rail line. Washington Square and the Downtown are included in this effort.

The feasibility study is intended to provide the public partners with sufficient information on how and whether to proceed with the project.

Council was briefed in January on the progress of the feasibility study. Separate briefings have been provided by the City Attorney on Urban Renewal tax increment financing. Under the City Charter, voter approval is required with tax increment financing, which is included in an Urban Renewal plan. Voting is limited to November and May elections.

- **Identify and begin projects**

#### Fourth Quarter Update

On December 1, the City signed a contract with Otak, Inc. of Lake Oswego for Phase I Downtown Streetscape Design. Otak Inc. will provide comprehensive design services for three major downtown streets (Burnham St., Main St., and Commercial St.), five (5) gateway intersections, and existing city-owned open spaces. The consultants will provide conceptual street design, which is necessary prior to final engineering design. In addition, the contract calls for Streetscape dimensions and preliminary cost estimates, which will assist the City in its Capital Improvement Programming for the Downtown.

Staff has set up a Streetscape Working Group to work with Otak, Inc. over a 7-month timeframe to evaluate design themes and alternatives. The Working Group will provide recommendations directly to the City Center Development Agency (CCDA) with regard to Streetscape design in the downtown. The first meeting with consultants took place on December 15.

Tri Met has provided a preliminary design for the Commuter Rail Station platform in downtown Tigard.

Staff has started to develop an implementation strategy for Downtown to address the prioritization of public improvement projects, the Capital Improvement Plan (CIP), and funding sources.

#### Third Quarter Update

During this quarter, progress was made towards realizing a priority project identified in the Downtown Plan aimed at enhancing the streetscape environment downtown. The scope of work covers the formulation of an overall design theme for the downtown area, and identification of specific design elements for select streets, gateways, public spaces, rail crossings and the commuter rail station. In addition, the consultant team will finalize a streetscape design plan for Commercial Street and preliminary design for Burnham Street. The tentative project schedule included in the original request for proposals identifies project completion on August 2006.

In August, four firms submitted proposals to provide design services for the Tigard Downtown Comprehensive Streetscape, Commercial Streetscape and Burnham Street Project. The selection committee, comprised of representatives of the Downtown Task Force, Engineering and Long Range Planning Departments, and the City Council, invited 3 of the 4 firms to be interviewed on September 8, 2005. The City is in the process of finalizing

the work plan for this project. The recommendation to Council for approval of the contract award is scheduled for October 25, 2005.

#### Second Quarter Update

The 2005-06 City's Capital Improvement Program (CIP) includes approximately \$1.8 million dollars of projects focused in the Downtown. Projects range from street design to open space acquisition.

#### First Quarter Update

The Downtown Improvement Plan includes a detailed list of catalyst and Brand Tigard projects. Catalyst projects are both public and private projects that are designed to cause complementary development in relation to surrounding properties. Brand Tigard projects are public projects designed to support catalyst projects – street improvements, beautification, parks, etc. A list of projects has been identified.

The Capital Improvement Program, currently under development, will draw from this list of identified projects to start implementing the Downtown Plan. Projects are under review and not finalized as of this date.

### **Goal 2. Improve 99W**

- **Identify specific projects to alleviate congestion on 99W**
- **Prioritize projects/funding**
- **Leverage additional funding**
- **McDonald Street/Highway 99W Intersection (Project Funded in FY 2004-05)**

The City has identified several projects to improve traffic congestion on Highway 99W. These projects and the status for each at the end of the fourth quarter of calendar year 2005 are described as follows:

#### 4<sup>th</sup> Quarter Update:

The widening of the McDonald Street/Highway 99W intersection to add a dedicated right-turn lane on McDonald, a dedicated through lane across 99W to Gaarde Street, and an extended left-turn lane on McDonald Street has greatly improved traffic circulation at that intersection. The project included installation of new sidewalk on both sides of the street along the length of the improvements. The project was completed in August 2005.

Staff continues to monitor the intersection to determine if any adjustments may be necessary. At this point, the intersection is functioning well and the improvements completed have greatly enhanced the flow of traffic along McDonald Street at that intersection.

#### Third Quarter Update

The widening of the McDonald Street/Highway 99W intersection to add a dedicated right-turn lane on McDonald, a dedicated through lane across 99W to Gaarde Street, and an extended left-turn lane on McDonald Street is expected to greatly improve traffic circulation at that intersection. The project includes installation of new sidewalk on both sides of the street along the length of the improvements. The project was funded in FY 2004-05 with funding carried over to FY 2005-06 sufficient to complete the project.

The McDonald Street/Highway 99W intersection project has been completed. Staff observation of the intersection operation is that traffic movements are more efficient and that the long queue just to get to the intersection has been eliminated. The right-turn lane provides the opportunity for a free right turn whenever there are gaps in the northbound Highway 99W traffic. Although the intersection appears to be performing well, City staff will monitor the traffic movements during the next two to three months to determine if any adjustments are needed to make the intersection work better.

#### Second Quarter Update:

The McDonald Street/Highway 99W intersection project has been under construction since May 2005 and is expected to be completed by the third week of July 2005.

#### First Quarter Update:

The design for the proposed improvements has been completed. The project will be advertised for bids on March 24, 2005. The contract award is expected late April, the project construction will be in May and June with construction completion expected by the end of June 2005.

#### ▪ Hall Blvd/Highway 99W Intersection (MSTIP 3 Funded Project)

#### 4<sup>th</sup> Quarter Update:

The project is entering into the design phase with construction expected to begin in early 2007. The design work and right-of-way acquisition for the intersection widening will be ongoing during the next 12 to 18 months. Because the intersection is a major portal into the Tigard downtown area, the City will be working closely with the Oregon Department of Transportation (ODOT) and Washington County to ensure that the project complements and supports the Downtown Improvement Plan elements.

#### Third Quarter Update

Washington County has selected the Phase 3 improvement package for further exploration. The Phase 3 improvements are estimated at \$5.4 million, which is \$500,000 over the project budget of \$4.9 million. The Phase 3 improvements include two northbound through lanes on Hall, a northbound left-turn lane, and a northbound right-turn lane from Hall to Highway 99W. The City expressed concern that a southbound right-turn lane from Hall to Highway 99W (along the old Safeway parking lot) is not included in the proposed improvements.

The County and its consultant (W&H Pacific) are reviewing the assumptions upon which the proposed improvements were based and are examining a reduced growth scenario that eliminates the second northbound through lane and adds the southbound right-turn lane on Hall. The original assumptions are that Hall will be widened to five lanes and Highway 99W to seven lanes during the planning period. It is not likely that funding will become available for those improvements during the planning period. The consultant is preparing a revised report to summarize the reduced growth scenario, which better reflects the likely conditions. A secondary goal of the re-evaluation is to see if the funding shortfall identified in the original cost estimate can be reduced or eliminated. The County staff will be meeting with City staff and ODOT to discuss the reduced growth scenario during the next few weeks and to finalize the scope for the consultant design effort.

Once the project scope has been fully defined in detail and the specific capacity improvements approved, engineering design work will begin. Project design and right-of-way acquisition for the widening work are expected to be completed within a 12 to 18 month period. Construction is expected to **begin in early 2007**.

#### Second Quarter Update:

The alternatives analysis to determine the scope of work for improvements to the Hall Boulevard/Highway 99W intersection has been completed. The Washington County staff and the consultant performing the work gave a project status briefing to City Council at the June 21, 2005 workshop meeting. The analysis indicates that a viable project can be constructed to provide capacity to the year 2020. The intersection project is funded through Washington County's MSTIP 3 (Major Streets Transportation Improvement Program). The estimate for the project identified exceeds the MSTIP budget by \$500,000. The County, City and ODOT will seek to obtain funds needed to supplement the current budget to enable construction of the project. Once the project scope has been fully defined in detail and the specific capacity improvements approved, engineering design work will begin. Project design and right-of-way acquisition for the widening work are expected to be completed within a 12 to 18 month period. Construction is expected to begin in late 2006, or early 2007.

#### 1<sup>st</sup> Quarter Update:

W&H Pacific has been contracted by the County to perform an alternatives analysis to determine feasible improvements that can be constructed to enhance movement through that intersection and alleviate congestion in that area. The project elements will be selected by mid-2005 with design to follow later this year. The Engineering staff is participating in the project meetings to ensure that the City of Tigard's interests are met with the alternatives selected. The County will be requested to make a presentation to City Council once the design alternatives have been refined and a preferred alternative recommended. The design and rights-of-way acquisition will follow the selection of the most cost-effective alternative and will be performed during the next year. Assuming the rights-of-way acquisition is completed in a timely manner, the County intends to begin construction on the project in late 2006.

- Greenburg Road/Highway 99W Study (Proposed Project for FY 2005-06)

#### 4<sup>th</sup> Quarter Update:

The alternatives analysis to determine an optimum solution for the Main Street/Greenburg Road/Highway 99W intersection is nearing completion. The study will take into account the findings of the Hall Blvd/Highway 99W project to ensure that the recommendations of the study support and enhance the improvements to be constructed at that intersection. The findings of the study will be reported to City Council early in 2006. The project recommendations resulting from the study will be incorporated into the project list to be developed through the Corridor Plan for future implementation.

#### Third Quarter Update

Greenburg Road is a north-south arterial providing direct access to Highway 217 and the Washington Square Regional Center to the north and Highway 99W to the south. Greenburg Road terminates at Highway 99W directly across from Main Street, a collector through downtown Tigard. The current level of service on Greenburg Road at Highway 99W is extremely poor especially in the PM peak hours when vehicles often wait through multiple traffic cycles to clear the intersection. In addition, forecasts for Highway 99W shows it is well over capacity in future demand, which makes the intersection nearly unmitigable due to heavy through traffic and conflicts with turning vehicles.

This proposed project provides funding for a feasibility study, which includes an alternatives analysis, to determine what alternative works best to alleviate congestion at the Greenburg Road and Highway 99W intersection and possibly improve traffic flow on Highway 99W through that area. One option is to widen Greenburg Road at its approach to Highway 99W. Another option is to eliminate the through movement from Greenburg Road to Main Street and divert downtown traffic through either 95th Avenue or 98th Avenue to Commercial Street. The intent of that study is to determine the best alternative, evaluate that alternative in detail, then scope out a project that implements that alternative for design and construction.

It seemed prudent to begin this project by examining the potential alternatives for the Greenburg Road/Highway 99W intersection from a traffic analysis standpoint. This technical analysis is needed to determine if any of the alternatives result in better traffic circulation and reduce congestion on both Greenburg Road and Highway 99W. Alternatives that do not have a favorable impact, or have significant adverse effects can be identified and eliminated. The two or three most feasible alternatives can then be modeled in detail to determine the impacts and costs involved.

DKS Associates was selected to perform the technical analysis and has been evaluating various alternatives during the past month. The firm is in the process of narrowing the alternatives to the two or three that seem most feasible and would be expected to produce the desired results. Initial input will be obtained through a practical exercise in the Citizen Leadership Series Transportation Course scheduled for October 20, 2005. Initial reactions to the alternatives evaluated and a sense of what would be or not be acceptable to the citizens of the City can be gleaned from the residents attending that course. Once the evaluation period is completed and summary report prepared, a discussion with Council at a workshop session will be scheduled, possibly in November or December of this year. After Council input, public input will be sought to narrow the alternatives to the best alternative for future implementation. Efforts to partner with ODOT and possibly Washington County through its MSTIP program will be made to design and construct the alternative selected for implementation.

#### Second Quarter Update:

Funding for the alternatives analysis is included in the Capital Improvement Program projects for FY 2005-06 approved by Council at the June 14, 2005 meeting. A consultant to perform the study will be selected in early August. The study is expected to begin in late August 2005. The scope of the study is to evaluate feasible alternatives, develop a public process plan to obtain public input on the alternatives, and then select an alternative for more detailed evaluation eventually leading to design and construction. The project does not include detailed design or construction. After the alternatives are developed, evaluated, and the best alternative selected, efforts to partner with ODOT and possibly Washington County through its MSTIP program will be made to design and construct the improvements.

#### 1<sup>st</sup> Quarter Update:

Funding for the alternatives analysis is included in the Capital Improvement Program projects proposed for FY 2005-06. If funded, a consultant can be selected to perform the study and recommend alternatives for evaluation



and discussion. After the alternatives are developed, evaluated, and the best alternative selected, efforts to partner with ODOT and possibly Washington County through its MSTIP program can be made to design and construct the improvements. Progress will be made on this project after the funding is made available to begin the study. The consultant selection process can begin prior to July 1, 2005 so that the project study can begin shortly after the new fiscal year begins.

- **Highway 99W Corridor Improvements Study (Proposed Project for FY 2005-06)**

#### **4<sup>th</sup> Quarter Update**

**The City staff is working with ODOT to develop a detailed statement of work for the Highway 99W Corridor Improvement and Management Plan. The products expected from the study are a plan for management of the corridor, identification of land use change opportunities, and a package of projects that can be implemented over a period of years as funding sources are identified and designated for these projects. The actual work to develop the plan is expected to begin in April 2006 and should be completed within 8 to 10 months.**

#### **Third Quarter Update**

This project provides funding for a study to evaluate various alternatives for improvement of the highway (including development of new parallel routes and connections that can feasibly be made between developments parallel to the highway) between Durham Road and Interstate 5. The intent of the study is to address current traffic deficiencies, present design alternatives and propose strategies that would provide for effective traffic circulation, connectivity and operational improvements to the highway and its corridor. The findings of this study would be used to prepare a package of projects (both large and small) that can be implemented over a period of years as funding sources are identified and designated for these projects.

The City submitted a grant application to ODOT (Oregon Department of Transportation) in May 2005 for development of a Highway 99W Corridor Improvement and Management Plan. The City received notice of grant award in August 2005. The amount of the grant is \$176,000 and the City is required to provide a matching amount of \$24,000 for a total project budget of \$200,000. The project will evaluate various alternatives for improvement of the highway short of widening to add capacity. The plan will focus on solutions that draw local traffic from Highway 99W onto parallel routes and reduce use of the highway as a service road for local traffic. While the focus of the plan is the improvement of traffic management on 99W, it will address related land use issues to a limited extent. Potential land use changes that could alleviate congestion and improve traffic circulation will be identified. In addition, opportunities for redevelopment along the corridor will be identified for future study.

An intergovernmental agreement (IGA) will be executed with ODOT as part of the grant award process. A grants manager from ODOT has been assigned to work with City staff in the preparation of a Statement of Work. The coordination work between City staff and ODOT has been ongoing since August. The Statement of Work should be completed and approved by the ODOT Salem headquarters by the end of calendar year 2005. Following approval of the Statement of Work, a consultant will be selected to perform the work. The consultant selection process is expected to be completed and a consultant under contract by March of 2006. The actual contract will be between ODOT and the consultant, but the City staff will be an active participant in the consultant selection and in the preparation of the plan. A public process will be developed for receiving public input. Council will be provided periodic updates and will have opportunities to provide input at key points during the preparation of the plan.

#### **Second Quarter Update:**

The City submitted a grant application for development of a Highway 99W Corridor Improvement and Management Plan. The products expected from the study are a plan for management of the corridor and a package of projects that can be implemented over a period of years as funding sources are identified and designated for these projects. The grant awards are expected to be announced in a few weeks. Assuming the City is successful in obtaining the grant, the study is expected to begin in late 2005 or early 2006 and should take six to eight months to complete.

#### **1<sup>st</sup> Quarter Update:**

This project is proposed for the FY 2005-06 CIP. The opportunity to obtain a TGM (Transportation and Growth Management) grant to perform this study is available. The City submitted a pre-application for grant funding

through ODOT in mid-February 2005. The formal application process is expected to be announced in May 2005. The initial review by ODOT staff of the pre-application was favorable and they encourage the City to submit an application once the application period begins. Although the funding becomes available July 1, 2005, the project cannot begin until the grant is awarded, an Intergovernmental Agreement (IGA) is executed between ODOT and the City, and the consultant is selected to perform the work. This process would be similar to the one followed for the Downtown Improvement Plan Study. Considering the time it takes to execute an IGA with ODOT and receive approval to use the funds, the study could begin in fall of 2005 or later. The results of the study are anticipated to be a package of projects and land use recommendations that can be implemented over a series of years. As funds are obtained, projects can be selected from the project list for implementation. Land use changes in accordance with the recommendations of the study can be pursued to help reduce direct access to Highway 99W and to improve the appearance along the corridor as new developments begin or redevelopment occurs.

- **Walnut Street Corridor Study**

#### **4<sup>th</sup> Quarter Update:**

**This project is a corridor study to determine the best alignment for the extension of Walnut Street from Highway 99W, through downtown Tigard, to connect to Hunziker Street. The consensus reached during the development of the Tigard Downtown Plan is that this corridor study should be divided into two phases with the segment from Fanno Creek north to connect to Hunziker Street as Phase 1 and the segment from Highway 99W over Fanno Creek to the Tigard downtown as Phase 2.**

**The Phase 1 study will begin next spring and should be completed in the summer of 2006.**

#### **Third Quarter Update**

A City-funded project in FY 2004-05 is a corridor study to determine the best alignment for the extension of Walnut Street from Highway 99W, through downtown Tigard, to connect to Hunziker Street. This study will be coordinated with the recommendations of the Downtown Improvement Plan study currently underway. The recommendations of the Downtown Improvement Plan will determine if the connection to Highway 99W should be pursued further.

The consensus reached during the development of the Tigard Downtown Plan is that this corridor study should be divided into two phases with the segment from Fanno Creek north to connect to Hunziker Street as Phase 1 and the segment from Highway 99W over Fanno Creek to the Tigard downtown as Phase 2. The input from developers during the Downtown Plan development is that the entry from the north along Hall Boulevard is more important as a portal into the downtown area and should be explored first. The Downtown Improvement Plan does not rely on the connection across Fanno Creek to Highway 99W. Therefore, the exploration of an alignment for Phase 2 will come later after the urban renewal efforts for the downtown area are further along. The Phase 1 study will begin in the next few months and should be completed by the end of the fiscal year.

#### **Second Quarter Update:**

This study is held in abeyance until the Downtown Improvement Plan recommendations are formalized and adopted by Council. The Downtown Plan does not depend on a connection being made from Highway 99W through the downtown area to Hunziker Street. However, whether or not the study proceeds in the near future will be discussed with Council to ensure that the timing of the study does not detract or conflict with the effort to get the Downtown Improvement Plan recommendations initiated during the next year or so.

#### **1<sup>st</sup> Quarter Update:**

A neighborhood meeting to discuss the connection of Ash Avenue across Fanno Creek into the downtown area was held on March 9, 2005 as part of the Downtown Study public process. Neither the Walnut Street Extension nor a connection across Fanno Creek to Ash Avenue were acceptable to those in attendance. The Downtown Study will consider all input received through the public process before reaching any conclusions on the need for a new entry into the downtown from the neighborhood south of Fanno Creek. Whether or not the corridor study will proceed depends on Council direction following a review of the recommendations of the study.

### Goal 3. Address Growth

- **Revise Comprehensive Plan for Tigard and, if funded, for Bull Mountain**

#### Fourth Quarter Update

**Interviews have been held for the Senior Planner position that will be in charge of the Comprehensive Plan update. We expect to hire the person by the end of the year.**

#### Third Quarter Update

Recruitment for a Senior Planner to staff the Comprehensive Plan update was initiated during this quarter.

#### Second Quarter Update

At their June 28, 2005 meeting Washington County Board of Commissioners considered Tigard's request to modify the Urban Planning Area Agreement (UPAA), providing the City with the authority to include portions of unincorporated Washington County (Bull Mountain and Areas 63 & 64) in the City's Comprehensive Plan update. Formal action will follow.

The City's adopted 2005-06 budget includes an additional staff position and funding for professional services to begin the update of the City's Comprehensive Plan in late summer/fall of 2005.

#### First Quarter Update:

The Planning Commission reviewed the elements of a Comprehensive Plan update. Council previewed a work program for the update. Defining the scope or geographical reach of the comprehensive planning effort is the necessary first step in the planning process. The Council goals call for including the Urban Services Area and Urban Growth Boundary Areas 63 and 64 in the comprehensive plan work scope, provided Washington County provides resources to support the extraterritorial work.

The framework for City-County planning coordination is the Tigard/County Urban Planning Area Agreement (UPAA). The City has requested that the Washington County 2005 Planning Division and Land Use Ordinance and Work Program include revising the County-City UPAA to address the City including portions of unincorporated Washington County (Bull Mountain, Areas 63 and 64, Metzger) in the City's Comprehensive Plan update.

- **Metro – seek changes**
  - *Seek changes at Metro that would free our Comprehensive Plan process to respond to citizens concerns.*
  - *Initiate a discussion with Metro regarding flexibility with density requirements.*

#### Fourth Quarter Update:

**Nothing new to report for this quarter.**

#### Third Quarter Update

Nothing new to report for this quarter.

#### Second Quarter Update

Council adopted a resolution on May 10, 2005 supporting active pursuit of regional collaboration to improve the regional land use planning system. Council members participated in a region-wide symposium on Metro and its land use program. Several recommendations resulted from the symposium. Additional follow-up has yet to be scheduled.

#### First Quarter Update:

On February 22, 2005, Council began discussion on a proposed resolution to support collaboration with Washington County jurisdictions regarding proposed changes to Goal 14, Urbanization and the Urban Growth Boundary administrative rules. After considerable discussion at its March 15<sup>th</sup> work session, Council recommended changes to the resolution which will return for Council action on April 12, 2005

- Identify and acquire Parks and Open Space

#### Fourth Quarter Update:

The City of Tigard has conducted an evaluation process aimed at identifying and acquiring property for park and greenway use. The potential properties were identified by the Park and Recreation Advisory Board, Tigard citizens and City staff. Forty-seven (47) properties belonging to approximately forty (40) property owners were identified. Eighteen (18) properties were subsequently removed by property owners. Ultimately, twenty-nine (29) properties were evaluated by the City.

On November 14, 2005 the Public Works Director presented a to the Park and Recreation Advisory Board (PRAB) the Board's rankings of the identified properties along with the staff's rankings. The PRAB approved the property priority listing for recommendation to Council on November 15, 2005 at a joint meeting of the Board and Council.

The Council accepted the PRAB's recommendations and directed staff to conduct a "willing seller" analysis. Letters were sent to prospective sellers on November 28, 2005. An update on the "willing seller" analysis will be given to the PRAB on January 9, 2006.

The Council approved and adopted an FY 2005-2006 budget which contains budget allocations totaling approximately \$2,000,000 to purchase park and open space property. Staff will begin negotiations once the Council determines which properties they wish to pursue.

#### Third Quarter Update

The City of Tigard has conducted an evaluation process aimed at identifying and acquiring property for park and greenway use. The potential properties were identified by the PRAB, Tigard citizens and City staff. Forty-seven (47) properties belonging to approximately forty (40) property owners were identified. Eighteen (18) properties were subsequently removed by property owners. Ultimately, twenty-nine (29) properties were evaluated by the City.

The PW Department retained the services of a temporary employee to develop an evaluation document. The document was used by the Park and Recreation Advisory Board, and staff to evaluate the potential park and greenway properties.

The timing of the process is that by November/December of this year the City will have completed its evaluation of the potential properties, and efforts to purchase certain properties will get underway at that time.

#### Second Quarter Update:

On June 14, 2005 Council approved and adopted the FY 2005-06 Budget. The budget contains a \$2,144,025 appropriation for park acquisition and development.

Staff and PRAB developed a set of recommended guidelines to help evaluate potential land acquisitions (both purchase and donation). These guidelines have been presented to Council and are scheduled for final approval on July 12.

The Park and Recreation Advisory Board and staff have created a list of properties (confidential) and presented it to Council, in Executive Session, at their June 28, 2005 workshop meeting. The properties have been identified by staff, PRAB, and public input at PRAB meetings and are a working list of potential sites.

The PRAB is currently making presentations at community meetings that include a discussion about potential land acquisition.

#### First Quarter Update:

The Park and Recreation Advisory Board is currently working on a community-wide presentation aimed at ascertaining additional input on the community's interest in acquiring more open space and park land. Open space is land that is in a natural state, e.g. wetlands, green ways, flood plains, etc. Park land is land to be used in an active way, e.g. neighborhood and community parks as well as trails, etc. The current, proposed FY



05-06 Parks CIP budget contains a land acquisition project aimed at acquiring land in the Bull Mountain area both inside and outside the City limits and in other parts of the City.

- **Review growth of expenditures and revenue**

#### **Fourth Quarter Update**

**The Financial Strategy Task Force has now held three meetings. The next meeting is scheduled for December 21. At their November meeting, the Task Force decided that additional meetings would be needed to solicit more information in order to reach any conclusions and finalize any recommendations. Two additional meetings have been scheduled for January and February, 2006.**

#### **Third Quarter Update**

The City Council approved a resolution creating the Financial Strategy Task Force. The Task Force membership is comprised of the citizen members of the Budget Committee, members of the Committee for Citizen Involvement, a representative from the Downtown Task Force, and a representative from the Transportation Financial Strategies Task Force. The City Council has asked the members of the Task Force to look at ways for the City to deliver services in a more efficient or cost-effective manner as well as identifying potential new revenue sources. They are also reviewing the option of asking the Tigard voters to approve a Local Option Tax Levy. It is expected that the Task Force will report back to the City Council by January, 2006. The Task Force held its first meeting in August and the next meeting is scheduled for October 26.

#### **Second Quarter Update:**

The Interim City Manager's Proposed Budget was presented to the City's Budget Committee on April 25. The Budget Committee held four public hearings, where at each meeting the public was invited to provide input on the budget. The Budget Committee deliberated and approved changes based upon the input from citizens as well as members of the Budget Committee. The Budget Committee approved the budget on May 16. The budget was forwarded to the City Council for adoption. The City Council held a public hearing on June 14, where again, the public was invited to provide input on the Approved Budget. The City Council adopted the budget on that date.

The City Council has directed staff to prepare a resolution to establish a Financial Strategy Task Force. The Mayor and City Council has asked for citizen input on what steps the City should take in dealing with the financial future.

Membership of the Task Force is to include the five citizen members of the Budget Committee, members of the Committee for Citizen Involvement, a member from the Downtown Task Force, and a member from the Transportation Financial Strategies Task Force.

The Task Force will be asked review City programs to see if service levels can be reduced, look at ways for the City to deliver services in a more efficient or cost-effective manner, and identify potential new revenue sources that could include the City begin charging fees or service to those citizens that live outside the City boundaries and/or asking the Tigard voters to approve a Local Option Tax Levy.

There will be a joint meeting of the Budget Committee and City Council in September to review the first quarter results of FY 2005-06.

#### **First Quarter Update:**

The Finance Department, working in conjunction with other City departments, has completed the preparation of budget requests for all City funds and programs for FY 2005-06. Those requests are now being reviewed by Finance staff and individual department budget discussions with the Interim City Manager are now underway. This is in preparation for the publication and submission of the Proposed Budget to the Budget Committee in late April. The Budget Committee will then hold public hearings throughout the month of April to discuss the individual budget requests as well as review the growth of City expenditures and revenue over the last three years.

The Budget Committee also met with the City Council in a study session in January to review the budget calendar and discuss current budget status and issues.

- Graphic identify (branding)
  - Signage/Logo/Stationery

#### Fourth Quarter Update

The City Council met with the graphic designer on October 18, November 15 and December 13 and December 20, 2005. The final design will be unveiled January 10, 2006.

#### Third Quarter Update

The City Council met with the graphic designer on July 12 to review design concepts, and provide direction for development of a final design.

#### Second Quarter Update:

An informal Branding Solicitation letter went out to eight (8) design firms on April 20, 2005. The letter included an attachment with Themes and Values brainstormed by the Vision Task Force. At the May 10, Study Session, Council reviewed the Graphic Identity Proposals and interviewed the consultants at the May 17 Workshop meeting. Council chose Glen Marcusen of Marcusen Design to work with Council to design a new graphic identity for the City.

First Quarter Update: On Thursday, February 24, 2005 eleven members of the Vision Task Force met to brainstorm ideas for themes and values that might be captured in a new City logo. The Task Force issues were presented to City Council on March 22, 2005. Council provided direction on values to be reflected in a new brand for the City.

Agenda Item No.: 7  
Meeting of: January 10, 2006

There are no materials at this time for the

## INTRODUCTION OF THE 2006 CITY COUNCIL GOALS

The City Recorder will provide a summary of the goals  
after the January 6, 2006, City Council special  
meeting.

For more information, contact the City Recorder's Office at  
503-639-4171.